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INVESTIGATION OF SOVIET ESPIONAGE

HEARINGS BEFORE THE COMMITTEE ON UN-AMERICAN ACTIVITIES HOUSE OF REPRESENTATIVES EIGHTY-FIFTH CONGRESS FIRST SESSION

OCTOBER 7, 8, AND 9, AND NOVEMBER 20, 1957

Printed for the use of the Committee on Un-American Activities

(INCLUDING INDEX)



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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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JAMES B. FRAZIER, JR., Tennessee ¹

EDWIN E. WILLIS, Louisiana

BERNARD W. KEARNEY, New York

DONALD L. JACKSON, California

GORDON H. SCHERER, Ohio

ROBERT J. MCINTOSH, Michigan

RICHARD ARENS, *Staff Director*

¹ Mr. Frazier resigned from the committee and was replaced by Hon. William M. Tuck, of Virginia, on January 16, 1958.

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 85TH CONGRESS

House Resolution 5, January 3, 1957

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

SYNOPSIS

INVESTIGATION OF SOVIET ESPIONAGE

Acting upon information deriving from the testimony of United States counterspy Boris Morros, the Committee on Un-American Activities in executive hearings on October 7, 8, and 9, and November 20, 1957, interrogated a number of persons formerly employed by the Government respecting the Soviet espionage apparatus in the United States.

The status of the committee's investigation permits the release at this time of the testimony of seven of those interrogated in this series of hearings. The transcript which is hereby released covers only that much of the testimony of the witnesses as relates to them and their activities.

The committee was particularly interested in information respecting Jane Foster Zlatovsky, now under indictment for having committed espionage in behalf of the Soviet Union.

John B. Rackliffe, a former employee of the Board of Economic Warfare, appeared before the committee on October 7, 1957, and admitted that he had known Jane Foster Zlatovsky socially. He invoked the fifth amendment when asked if he knew her as a Communist and also when asked about his own previous membership in the Communist Party.

Henry Hill Collins, Jr., who appeared before the committee on October 8, 1957, had been identified by Whittaker Chambers as a member of the Communist Party. Collins has had various positions in the Government. Jane Foster Zlatovsky had once resided in his home. He invoked the fifth amendment when questioned about past and current membership in the Communist Party.

Henry Beitscher, a former employee of the Bureau of the Census, Board of Economic Warfare, and the Coordinator of Inter-American Affairs, and Julia Schnee, former employee of the Office of Price Administration, also appeared on October 8. Both invoked the fifth amendment when questioned about Communist Party membership. Beitscher also refused, because of possible self-incrimination, to give information about the nature of his employment after leaving Government service.

William Rossmoore, who had been employed in the Department of Agriculture and the Office of Price Administration, appeared before the committee on October 9, 1957. He refused to answer questions concerning membership in the Communist Party and whether he had any connection with members of the Communist Party who are known to have been in the Soviet espionage apparatus.

Mary Rackliffe, presently employed at Little Brown & Co., Boston, Mass., and formerly an employee of the Office of Price Administration, appeared before the committee on November 20, 1957, and invoked the fifth amendment when questioned regarding

Communist Party membership. Mrs. Rackliffe also declined to testify regarding certain of her past employment on the ground that to do so might tend to incriminate her.

The essence of the testimony of Wilfred Lumer, who also appeared before the committee on November 20, has already been released by the committee. Lumer, who had been identified under oath as a member of the Communist Party, has been employed by the Railroad Retirement Board and the Office of Price Administration. During the period preceding his appearance before the committee, Lumer had been assigned by the Public Affairs Institute, for which he then worked, to assist Members of Congress on legislative reports dealing with important areas of Government finance. Lumer invoked the fifth amendment when asked whether he was a member of the Communist Party at the time of his appearance before the Committee, and whether he had discussed his work on legislative reports with any person known to him to be a Communist.

INVESTIGATION OF SOVIET ESPIONAGE

MONDAY, OCTOBER 7, 1957

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

EXECUTIVE SESSION ¹

A subcommittee of the Committee on Un-American Activities met in executive session, pursuant to call, at 10 a. m. in room 226, Old House Office Building, Hon. Edwin E. Willis presiding.

Committee members present: Representatives Edwin E. Willis, of Louisiana, and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, staff director, and Louis J. Russell, Frank Bonora, and Raymond T. Collins, investigators.

Mr. WILLIS. The subcommittee will come to order.

* * * * *

Mr. ARENS. Mr. Rackliffe.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RACKLIFFE. I do.

TESTIMONY OF JOHN B. RACKLIFFE

Mr. ARENS. Would you please identify yourself by name, residence, and occupation?

Mr. RACKLIFFE. My name is John Rackliffe. I live in Boston. Do you want the street address?

Mr. ARENS. Yes; you might give us that.

Mr. RACKLIFFE. 44A Joy Street, Boston. I am an editor, freelance.

Mr. ARENS. You are appearing today, Mr. Rackliffe, in response to a subpoena which was served upon you by the Committee on Un-American Activities?

Mr. RACKLIFFE. That's correct.

Mr. ARENS. You do not have counsel?

Mr. RACKLIFFE. No.

Mr. ARENS. You know, of course, that you may have the privilege of counsel with you?

Mr. RACKLIFFE. Yes; I know that.

Mr. ARENS. Mr. Rackliffe, where were you born and when?

¹ Released by the committee and ordered to be printed.

Mr. RACKLIFFE. Do you mind if I make notes?

Mr. ARENS. Go right ahead; that is all right.

Where and when were you born?

Mr. RACKLIFFE. In Prince Edward Island, Canada, 1911.

Mr. ARENS. And when did you come to the United States?

Mr. RACKLIFFE. I think 1912.

Mr. ARENS. Are you a citizen of the United States?

Mr. RACKLIFFE. Yes.

Mr. ARENS. Give us, please, sir, just a word of your education.

Mr. RACKLIFFE. Could you tell me the relevance of these questions?

Mr. ARENS. Yes, sir. This Committee on Un-American Activities has pending before it a number of proposed changes in the law, a number of proposed amendments. The committee likewise is under a mandate of the Congress to maintain a continuing surveillance over the administration and operation of all of the security laws, including the Internal Security Act, the Communist Control Act, Foreign Agents Registration Act, numerous criminal statutes, and the like.

Pursuant to that mandate of the Congress, this committee has taken vast amounts of testimony. Some of that testimony has involved yourself, Mr. Rackliffe, I say quite frankly; and we expect to explore with you in this session some of your own background and some of your own activities.

Now, would you kindly tell us, if you please, sir, just a word about your own educational background?

Mr. RACKLIFFE. Yes. Before doing that, I would like to state that I don't see the relevance of my educational background to proposed changes in legislation.

Mr. ARENS. All right, sir.

Mr. RACKLIFFE. I see no relevance whatever between the two.

I was educated in schools outside Boston, grammar school, a day school called Country Day School. I did my undergraduate work at Harvard. I also did graduate work there.

Mr. ARENS. When did you complete your education at Harvard?

Mr. RACKLIFFE. I took a B. A. in 1934.

Mr. ARENS. What did you do for graduate work at Harvard?

Mr. RACKLIFFE. I was in the English department.

Mr. ARENS. And when did you conclude that work?

Mr. RACKLIFFE. 1941.

Mr. ARENS. Did you receive a graduate degree?

Mr. RACKLIFFE. No.

Mr. ARENS. I beg your pardon?

Mr. RACKLIFFE. No.

Mr. ARENS. Give us, if you please, sir, just a highlight sketch of your employment after you concluded your formal education.

Mr. RACKLIFFE. Before doing that, I will also say that I see no relevance whatever of my employment to any proposed legislation. I fail to see any pertinence there.

Mr. ARENS. Kindly proceed. What was your first job after you concluded your formal education?

Mr. RACKLIFFE. I'm trying to think. Oh, my first job may have been in Washington. I think it was. No. No. I was confusing 1934 with 1941. No, my first job would have been teaching at Harvard.

Mr. ARENS. What did you teach?

Mr. RACKLIFFE. I taught English.

Mr. ARENS. And when was it that you instructed in English?

Mr. RACKLIFFE. Between 1935 and 1941, I think.

Mr. ARENS. Then your next principal employment, please, sir?

Mr. RACKLIFFE. Was in the Board of Economic Warfare.

Mr. ARENS. And what were the dates of your employment there, please, sir?

Mr. RACKLIFFE. I think 1942 to 1944.

Mr. ARENS. In what capacity?

Mr. RACKLIFFE. Oh, I began as an assistant economic analyst and, when I left the Board, I think I was classified as a foreign affairs economist.

Mr. WILLIS. A what?

Mr. RACKLIFFE. A foreign affairs economist. I'm sorry.

Mr. ARENS. What caused your disassociation from the Board?

Mr. RACKLIFFE. I resigned.

Mr. ARENS. And your next employment?

Mr. RACKLIFFE. Oh, was with the United Shoe Workers.

Mr. ARENS. The United Shoe Workers. In what capacity?

Mr. RACKLIFFE. I was a legislative representative or editor. The job had 2 or 3 titles.

Mr. ARENS. And the period of your service, please, sir?

Mr. RACKLIFFE. It was very short. I think that was in late 1944.

Mr. ARENS. And your next employment?

Mr. RACKLIFFE. Oh, was with State, County, and Municipal Workers.

Mr. ARENS. Was that Flaxer's organization?

Mr. RACKLIFFE. He was the president at that time, a CIO union.

Mr. ARENS. Abram Flaxer?

Mr. RACKLIFFE. Yes, I think that's right.

Mr. ARENS. What was the period of your service with that organization?

Mr. RACKLIFFE. Early 1945.

Mr. ARENS. In what capacity?

Mr. RACKLIFFE. I forget the exact title.

Mr. ARENS. What type of work did you do?

Mr. RACKLIFFE. Oh, it was sort of a liaison job with the teachers' division.

Mr. ARENS. Was that in Washington?

Mr. RACKLIFFE. No, that was in New York, which is their national office.

Mr. ARENS. And your next employment?

Mr. RACKLIFFE. It was with Reynal & Hitchcock.

Mr. ARENS. What is that organization?

Mr. RACKLIFFE. It's now defunct. It was a publishing house.

Mr. ARENS. In what capacity were you employed?

Mr. RACKLIFFE. I was first there in connection with the Labor Book Club, which was sort of run jointly by the United Automobile Workers and Reynal & Hitchcock.

Mr. ARENS. What was the period of your employment there?

Mr. RACKLIFFE. I was with Reynal & Hitchcock altogether from 1945 to 1947, I believe.

Mr. ARENS. Was that in New York City?

Mr. RACKLIFFE. That's right, but I don't remember which parts were the Labor Book Club and which parts were straight Reynal & Hitchcock.

Mr. ARENS. Your next employment, please, sir?

Mr. RACKLIFFE. After that I was with Ginn & Company.

Mr. ARENS. Where?

Mr. RACKLIFFE. Boston.

Mr. ARENS. In what capacity?

Mr. RACKLIFFE. Editor.

Mr. ARENS. What is Ginn & Company?

Mr. RACKLIFFE. It's a textbook house, textbook publisher.

Mr. ARENS. You edited textbooks?

Mr. RACKLIFFE. That's right.

Mr. ARENS. What was your period of service there?

Mr. RACKLIFFE. I was there for about a year, between 1947 and 1948.

Mr. ARENS. And your next employment?

Mr. RACKLIFFE. From then on I worked free lance.

Mr. ARENS. What is the nature of your employment now as a free lance? I don't quite understand.

Mr. RACKLIFFE. I do editorial work.

Mr. ARENS. For whom?

Mr. RACKLIFFE. For an author or for a publisher.

Mr. ARENS. Unfortunately, I don't understand. I don't mean to play ignorant here, but what type of editorials do you write?

Mr. RACKLIFFE. I don't write editorials. I edit manuscripts.

Mr. ARENS. What would be a typical illustration of the manuscript that you would edit?

Mr. RACKLIFFE. There wouldn't be a typical one. It could be anything. It could be a textbook. It could be a lawbook.

Mr. ARENS. Do you edit textbooks?

Mr. RACKLIFFE. I would if one came along.

Mr. ARENS. When did you last edit a textbook?

Mr. RACKLIFFE. Oh, again I fail to see the relevance of any of this.

Mr. ARENS. Kindly answer the question. When did you last edit a textbook and for whom?

Mr. RACKLIFFE. My guess would be that the last textbook I edited was probably with Ginn & Co.

Mr. ARENS. What was the last job that you did? That might give us a better idea of what you do.

Mr. RACKLIFFE. I don't think that any of these questions are pertinent to the inquiry of this committee. I think they are my own business.

Mr. ARENS. We understand your protest. Now would you kindly answer the question? What was the last job that you did?

Mr. RACKLIFFE. The last job I did and any jobs I have done free lance have had no connection whatever with any of the aims of this committee. I'll gladly answer any questions to the Internal Revenue Service.

Mr. ARENS. Now kindly answer this question: What was the last job that you did?

Mr. RACKLIFFE. I don't think I'll answer that.

Mr. ARENS. Mr. Chairman, I respectfully suggest this record reflect an order and direction for this witness to answer the question.

Mr. WILLIS. I direct you to answer the question.

Mr. RACKLIFFE. Oh, could you please again tell me the pertinence of the question to this inquiry?

Mr. ARENS. Yes, sir. As I explained to you a little while ago, your name has been——

Mr. RACKLIFFE. We don't need to go over that.

Mr. ARENS. I beg your pardon?

Mr. RACKLIFFE. I was going to suggest we don't even need to go over that.

Mr. ARENS. That is the very purpose. We want to know what you did, what your activities are, because your name has been involved in activities specified by witnesses as pertaining to the Communist Party. Therefore, we would like to know what you do and we would like to know the nature of your——

Mr. RACKLIFFE. My professional work has no connection whatever with that.

Mr. ARENS. Do you decline to answer the question as to what your last job is or was?

Mr. WILLIS. May I say to you that you are not represented by counsel, but you have the right to decline to answer the question, this question, or any other question. However, you have to base the declination on constitutional grounds.

Mr. RACKLIFFE. Yes.

Mr. WILLIS. I mean your refusal to answer without assigning any ground is not proper and would subject you to contempt proceedings.

Mr. RACKLIFFE. I see.

Mr. WILLIS. I say that to you because you are not represented by counsel. You are not forced to answer the question, but in not answering it, you must assign constitutional grounds.

Mr. RACKLIFFE. Well, I will answer the question. My constitutional grounds are the first amendment, that my professional work, my professional clients, have absolutely nothing, no connection whatever, with any actual or stated aims of this committee; that they are a part of my rights under the first amendment to free speech, free assembly, or in more informal language, not having my private affairs pried into by a committee of the Congress which has no mandate whatever to pry into my private affairs.

I would like to ask the chairman, if I may, to reconsider his order directing me to answer the question.

Mr. WILLIS. No. I will not reconsider it, but it is not a question of prying into your affairs. It is whether your affairs come within the purview of the committee. They might, according to the evidence we have.

Mr. RACKLIFFE. Well, according to the evidence I have, they don't, and I am under oath.

Mr. WILLIS. I know. I will have have to persist in the order.

Mr. RACKLIFFE. You persist in the order?

Mr. WILLIS. Yes.

Mr. RACKLIFFE. The last job I worked on, and which I am now working on, is an anthology of English verse, edited by Dame Edith Sitwell.

Mr. ARENS. Now, sir——

Mr. RACKLIFFE. Let me continue.

Mr. ARENS. Go right ahead.

Mr. RACKLIFFE. My assignment in this connection is, among other things, to compare some first folio readings in Shakespeare with readings in the first and second and third and fourth folios if those exist and with certain model editions, to see if the capitalization, the italics, the punctuation, the spelling, and other matters may perhaps make a first folio reading incomprehensible to an average reader of modern verse.

Mr. ARENS. Sir——

Mr. RACKLIFFE. May I continue?

Mr. ARENS. I think you covered it enough.

Mr. SCHERER. Let him continue.

Mr. RACKLIFFE. I want to continue only to this extent: Does that answer have any connection whatever with the aims of this committee?

Mr. ARENS. It might have; yes, sir.

Mr. RACKLIFFE. How?

Mr. ARENS. Would you kindly tell us if you know a person by the name of Robert G. Davis?

Mr. RACKLIFFE. May I ask how that answer will have any connection?

Mr. ARENS. I think it will develop in the course of our proceedings here and I think it will be very clear to you.

Do you know a person by the name of Robert G. Davis?

Mr. RACKLIFFE. I would prefer to have it developed now. Could we do that?

Mr. ARENS. Kindly answer the question whether or not you know a person by the name of Robert G. Davis.

Mr. RACKLIFFE. Before that I just want to make sure that I have people's names correct. May I take time out to be sure of that?

Mr. ARENS. Robert G. Davis.

Mr. RACKLIFFE. I meant yours.

Mr. ARENS. My name is Richard Arens, A-r-e-n-s.

Mr. RACKLIFFE. And yours?

Mr. WILLIS. Willis.

Mr. ARENS. Robert G. Davis.

Mr. RACKLIFFE. I will decline to answer, claiming the privilege of the fifth amendment.

Mr. ARENS. Do you know a person by the name of Robert G. Davis?

Mr. RACKLIFFE. I said I decline to answer, claiming the privilege of the fifth amendment.

* * * * *

Mr. ARENS. Do you know a person by the name of Granville Hicks?

Mr. RACKLIFFE. Oh, I will decline to answer again under the fifth amendment privilege.

Mr. ARENS. Do you know a person by the name of Daniel J. Boorstin?

Mr. RACKLIFFE. I will decline on the same grounds.

Mr. ARENS. Now, do you know a person by the name of Jane Foster Zlatovsky?

Mr. RACKLIFFE. Before answering that question, I'd like to state that I have considerable reluctance to answer questions about other people here. I also have some doubts as to whether the committee is legally justified in asking such questions or in directing answers to them.

Mr. ARENS. Now kindly answer the question. Do you know a person by the name of either Jane Foster or Jane Foster Zlatovsky?

Mr. RACKLIFFE. I have known a Jane Foster and, if I may interject, I have followed that case in the New York Times, which spells the name S-l-a-t-o-v-s-k-i. My guess is that that is the correct spelling. I don't know.

Mr. ARENS. When did you first meet, or become acquainted with, a person by the name of Jane Foster?

Mr. RACKLIFFE. 1942.

Mr. ARENS. Where?

Mr. RACKLIFFE. In the Board of Economic Warfare.

Mr. ARENS. Was she employed there?

Mr. RACKLIFFE. Yes.

Mr. ARENS. Were you employed there at the time?

Mr. RACKLIFFE. Yes.

Mr. ARENS. In what capacity was she employed?

Mr. RACKLIFFE. I'm not sure what her title was.

Mr. ARENS. What was the nature of the work?

Mr. RACKLIFFE. It was probably somewhat the same as mine.

Mr. ARENS. Well, give us just a word of description of it, please, sir.

Mr. RACKLIFFE. I can't remember specifically, because so far as I remember, oh, I didn't work on anything with her, so I didn't know what her work was in detail.

Mr. ARENS. Where did you meet her in the Board of Economic Warfare?

Mr. RACKLIFFE. In the office.

Mr. ARENS. Is that the only place you met her?

Mr. RACKLIFFE. I don't understand.

Mr. ARENS. Is that the only place where you met her? You say you met her and worked with her in the office.

Mr. RACKLIFFE. You asked me where I met her, meaning the first meeting, and I answered "in the office."

Mr. ARENS. Is that the only place you have known her, in the office?

Mr. RACKLIFFE. No. I knew her socially.

Mr. ARENS. Did you have social engagements with her, in the nature of what we call in common parlance, dates?

Mr. RACKLIFFE. The nature of this committee's questioning—

Mr. ARENS. I beg your pardon.

Mr. RACKLIFFE. I just wanted to put on the record that the nature of this committee's questioning is sometimes irksome to the self-respect of an independent citizen. Miss Foster was a friend of my wife's and mine. I did not have what is called in the common parlance, dates. I frequently had social engagements.

Mr. ARENS. What was the nature of the social engagements which you had with Miss Foster?

Mr. RACKLIFFE. It might be lunch and it might be dinner.

Mr. ARENS. Did you and Miss Foster belong to any organizations in concert together?

Mr. RACKLIFFE. I'll claim the fifth amendment to that.

Mr. ARENS. Why?

Mr. RACKLIFFE. Did you say why?

Mr. ARENS. Yes, sir.

Mr. RACKLIFFE. I don't believe I need to explain why.

Mr. ARENS. I respectfully suggest that the chairman order and direct you to answer the question as to why you claim the fifth amendment, as you say, on the question outstanding.

Mr. WILLIS. I again tell you since you are not represented by counsel that the simple invocation of the fifth amendment does not tell the whole story.

In order to invoke the privilege of the fifth amendment, one must honestly feel that to speak might subject him or her to criminal proceedings or might tend to incriminate him, and the question is an obvious test of honesty of your invocation.

That's all there is to it.

Mr. RACKLIFFE. I can more or less repeat, somewhat rephrased, Mr. Willis' words, that my claim of the fifth here and anywhere in answer to any other question is due to my determination not to be, in the words of the amendment, a witness against myself. Is that adequate? I can continue it if you please.

Mr. WILLIS. That's sufficient.

Mr. ARENS. We just wanted to be sure that the record is clear that you are invoking the fifth amendment because you feel if you told this committee the nature of this association you would be supplying information which, in your judgment, might be used against you in any criminal proceeding.

That's all we have in mind.

Mr. RACKLIFFE. I rephrase it differently from that; but if my answer is adequate, we will let my answer stand.

Mr. ARENS. Do you feel if you told this committee the organization or organizations, if any, in which you and Jane Foster Zlatovsky were comembers, you would be supplying information which might be used against you in a criminal proceeding?

Mr. RACKLIFFE. I would merely repeat my original answer, that my claim of the privilege under the fifth in answer to this question or to any other question is due to my determination not to be, in the language of the amendment, a witness against myself.

Mr. ARENS. Do you have information, Mr. Witness, respecting the acquisition or transmission by Jane Foster Zlatovsky, or Jane Foster, at that time, of any information in violation of the espionage statutes of this Government?

Mr. RACKLIFFE. Please repeat just the first words of your question. Have you any information?

Mr. ARENS. Yes; do you have information or knowledge—

Mr. RACKLIFFE. Have I any information or knowledge?

Mr. ARENS. Yes.

Mr. RACKLIFFE. The answer is "No."

Mr. ARENS. Do you know whether or not Jane Foster Zlatovsky was a Communist?

Mr. RACKLIFFE. The fifth amendment again.

Mr. ARENS. What transpired in these visits that you had with Jane Foster Zlatovsky, these social engagements that you had?

Mr. RACKLIFFE. Nothing more than would transpire in any social engagement with any friend or acquaintance.

Mr. ARENS. Did you and Jane Foster ever attend any meetings together of any kind?

Mr. RACKLIFFE. I will claim the fifth amendment.

Mr. ARENS. How long did you know Jane Foster Zlatovsky?

Mr. RACKLIFFE. Oh, probably about 4 years.

Mr. ARENS. Was that 4-year period all during the period of your employment at the Board of Economic Warfare?

Mr. RACKLIFFE. It would extend beyond that.

Mr. ARENS. What was the nature of your acquaintanceship with her after you disassociated yourself or disassociated from the Board of Economic Warfare?

Mr. RACKLIFFE. Well, we remained on friendly terms. I can't remember the precise dates here.

Mr. ARENS. The date that you suggested to us, and I appreciate the fact that you might not have too vivid a recollection on the precise date, was that you were in the Board of Economic Warfare beginning in 1944; is that right?

Mr. RACKLIFFE. No. No. I believe I said 1942 to 1944.

Mr. ARENS. I made a mistake, then, in writing this down. About 1942?

Mr. RACKLIFFE. Yes.

Mr. ARENS. When did you leave the Board of Economic Warfare?

Mr. RACKLIFFE. I think 1944. I am quite sure.

Mr. ARENS. Then you knew Jane Foster Zlatovsky 2 years after you left the Board of Economic Warfare?

Mr. RACKLIFFE. I may have been careless in that answer. Did I say 4 years?

Mr. ARENS. I was under the impression that you said 4 years.

Mr. SCHERER. Yes, 4 years; about 4 years.

Mr. RACKLIFFE. It might be more accurate to say 3 or 4. At some point, and I don't remember what year, sometime I believe in 1944, she transferred to OSS and sometime, perhaps also in 1944, she left this country with OSS; and I would say that our acquaintance extended beyond that a year or two in the form of 1 or 2 or 3 letters, but otherwise, so far as I remember, did not involve a subsequent meeting. On that my recollection is hazy. I was asked the same question by the grand jury.

Mr. ARENS. Did you know her husband, George Zlatovsky?

Mr. RACKLIFFE. No.

* * * * *

Mr. ARENS. Did you ever know a person by the name of Wilfred Lumer?

Mr. RACKLIFFE. No. Again—this is merely for the record and merely to express the reaction of what I think of as a normal American citizen—I would like to state that it somewhat disgusts me to have someone sit with a list of names and ask me one after the other if I knew them. That is not my notion of free speech, free association, or American citizenship.

Please continue, sir.

Mr. ARENS. Yes, sir.

Now, do you know a person by the name of William Rossmore?

Mr. RACKLIFFE. I'll claim the fifth amendment.

Mr. ARENS. Do you know a person by the name of Henry Beitscher?

Mr. RACKLIFFE. I'll claim the fifth amendment.

Mr. ARENS. Henry Hill Collins, Jr.? Did you know him?

Mr. RACKLIFFE. No.

Mr. ARENS. I beg your pardon?

Mr. RACKLIFFE. No. Excuse me, sir.

Mr. ARENS. Julia Schneer?

Mr. RACKLIFFE. I'll claim the fifth amendment.

* * * * *

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. RACKLIFFE. I'll divide that question into two.

Mr. ARENS. Please do.

Mr. RACKLIFFE. I am not a member of the Communist Party. As to the other part of the question, I'll claim the fifth amendment.

Mr. ARENS. Were you a member of the Communist Party any time in the course of the last 5 years?

Mr. RACKLIFFE. The answer to that is no.

Mr. ARENS. Were you a member of the Communist Party any time during the course of your employment by the United States Government?

Mr. RACKLIFFE. I'll claim the fifth amendment on that.

Mr. ARENS. Were you a member of the Communist Party any time in the course of the last 10 years?

Mr. RACKLIFFE. The answer to that again is no and I would like to make it clear on the record that I do not concede the right of this committee to ask this question.

Mr. ARENS. How far back in the chronology of time is it that you claim the fifth amendment with reference to the question as to your Communist Party membership?

Mr. RACKLIFFE. It can tie in conveniently with the 10-year question. I'll claim the fifth amendment for any questions previous to 1947.

Mr. ARENS. Have you at any time since 1947 been a member of the Communist Party?

Mr. RACKLIFFE. No.

Mr. ARENS. Have you at any time since 1947 been under Communist Party discipline?

Mr. RACKLIFFE. No.

Mr. ARENS. Do you know of other agencies of the Federal Government in which Jane Foster Zlatovsky was employed?

Mr. WILLIS. You named two.

Mr. RACKLIFFE. Those two are the two I know. The Board of Economic Warfare, when I was there, and the Office of Strategic Services to which she transferred.

Mr. ARENS. Was your disassociation from the Federal Government completely voluntary on your part?

Mr. RACKLIFFE. Yes. There was a long civil service case and a complicated interagency case, both of which were decided in my favor, at the end of which I resigned.

Mr. ARENS. What is your present position with reference to the Communist Party? Are you for it or against it?

Mr. RACKLIFFE. That is an opinion question and my political opinions are my own concern under the first amendment, aren't they?

Mr. ARENS. I thought perhaps you might be able to help us develop some facts that would assist this Government in fighting the Communist Party, resisting the Communist movement in this country.

Mr. RACKLIFFE. If I——

Mr. ARENS. Excuse me.

Mr. RACKLIFFE. Excuse me. Go ahead. I think I might as well finish, since I started. I just wanted to say that I don't equate this committee with this Government.

Mr. ARENS. I beg your pardon?

Mr. RACKLIFFE. I do not equate this committee with this Government. The question implied that I would want to help this Government. My answer that I do not want to cooperate with this committee does not mean that I do not want to support the Government.

Mr. ARENS. Have you been to the FBI with any information which you may have respecting the Communist Party?

Mr. RACKLIFFE. I have not.

Mr. SCHERER. Do you feel the same way about the FBI as you do about this committee?

Mr. RACKLIFFE. In relation to that kind of questioning.

* * * * *

Mr. SCHERER. You said you had some correspondence with Jane Foster after she left the Board of Economic Warfare, did you not?

Mr. RACKLIFFE. That's right.

Mr. SCHERER. Over how long a period did that correspondence continue?

Mr. RACKLIFFE. I remember only two details of it. I was asked something along these general lines by the grand jury. I do remember vaguely that Miss Foster got in touch with me, I think after her return to this country, in relation to the possibility of my helping her with some manuscripts—I mean my helping her professionally—and I think that was by letter. I don't remember meeting her in that connection and I don't think it was a telephone call, so it it must be a letter which I've forgotten, except it was on that subject.

Mr. SCHERER. That was the only type of correspondence you had with her?

Mr. RACKLIFFE. The only other one I remember was a letter shortly after she left this country—we had taken over her apartment—and she said, "If you paint that small middle room, paint it yellow; it needs light."

Mr. SCHERER. You mean you and your wife had taken over her apartment?

Mr. RACKLIFFE. The apartment she previously had.

Mr. SCHERER. And when she had this correspondence with you, she was abroad?

Mr. RACKLIFFE. Yes.

Mr. SCHERER. Do you know where she was?

Mr. RACKLIFFE. No, I don't know. All I remember is her advice——

Mr. SCHERER. Do I understand, then, you haven't seen her at any time prior to the time she left the country?

Mr. RACKLIFFE. You meant subsequent?

Mr. SCHERER. You haven't seen her at any time since she left the country?

Mr. RACKLIFFE. I said when you said "prior" you meant "subsequent."

Mr. SCHERER. Yes.

Mr. RACKLIFFE. To the best of my recollection, no. There is a possibility that I may have seen her in relation to this manuscript of hers which did not materialize, but my memory is that it was in all likelihood done by letter. I would not swear to not having met her, but if I did meet her——

Mr. SCHERER. And that was about as late as 10 years ago that you received the last correspondence?

Mr. RACKLIFFE. It would be slightly longer than that. It would be probably 1945; conceivably 1946.

Mr. SCHERER. You had no contact with her at all since that date?

Mr. RACKLIFFE. I'm sure that I can state that I have had no contact since 1946, but this business about possible manuscript of hers could have been in 1945 or could have been in 1946.

Mr. SCHERER. She was with OSS at the time she wrote you?

Mr. RACKLIFFE. No, I believe she left. I'm not sure.

Mr. SCHERER. What was she doing then?

Mr. RACKLIFFE. I'm not sure. I can't remember where she was.

Mr. SCHERER. I have no further questions.

Mr. RACKLIFFE. Could I just ask your name, sir?

Mr. SCHERER. Scherer, S-c-h-e-r-e-r.

Mr. ARENS. Do you know Alexander Ganz?

Mr. RACKLIFFE. No.

Mr. ARENS. Miriam Waybur? Did you know her?

Mr. RACKLIFFE. I'll claim the fifth amendment on that.

Mr. ARENS. Do you know people now working in the Federal Government who to your certain knowledge were one-time members of the Communist Party?

Mr. RACKLIFFE. No.

Mr. ARENS. Mr. Chairman, I respectfully suggest——

Mr. RACKLIFFE. I was going to say I may know of people. Usually committees like that hire former Communists, but I know of them only by reputation. I don't know them personally.

Mr. ARENS. I don't understand. Who is it you know——

Mr. RACKLIFFE. I don't know any such people. I merely know of their existence. I may have partly misinterpreted your question.

Mr. ARENS. What is it you know the existence of? I don't understand.

Mr. RACKLIFFE. I merely said that former Communists are employed by this Government of whom I have heard, but whom I do not know.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the subpoena under which this witness appears today be continued subject to notification of the witness as to a time and place of appearance, and that the witness be permitted to return to his home subject to notification by this committee of time and place for his further appearance.

Mr. RACKLIFFE. May I ask why there should be a further appearance?

Mr. ARENS. That is a matter for the determination of this committee.

Mr. WILLIS. That will be so ordered.

Mr. RACKLIFFE. Is there any way I can be informed why the questioning has not been completed now that I am down here?

Mr. ARENS. That will be a matter for the determination of the committee, too, Mr. Rackliffe. I take it it is the order of the Chair that the witness is presently excused, but he is to remain under his subpoena subject to notification of the time and place of his appearance.

Mr. WILLIS. That course will be followed.

Mr. ARENS. I may suggest to you, Mr. Witness, that if prior to the time you receive notification of the time and place of appearance you have what we might call a change of heart and decide that you want to talk to us further, from the standpoint of information that you may have which would be helpful to this committee, just call us collect on the telephone and we will see that you are interviewed or that we have occasion to visit with you further.

Do you understand what I am saying?

Mr. RACKLIFFE. Yes, I understand that.

Mr. ARENS. All right, sir. Thank you very much for your appearance, and Mr. Russell here will see that your voucher is taken care of.

Mr. RACKLIFFE. Fine. I think I already did that.

* * * * *

(Whereupon at 1:45 p. m. October 7, 1957, the hearing was adjourned, to reconvene at 10 a. m. Tuesday, October 8, 1957.)

INVESTIGATION OF SOVIET ESPIONAGE

TUESDAY, OCTOBER 8, 1957

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

EXECUTIVE SESSION ¹

The subcommittee of the Committee on Un-American Activities met in executive session, pursuant to call, at 10 a. m. in room 226, Old House Office Building, the Honorable Edwin E. Willis presiding.

Committee members present: Representatives Edwin E. Willis, of Louisiana, and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, staff director; Louis J. Russell and Raymond T. Collins, investigators.

Mr. WILLIS. The subcommittee will please come to order.

Mr. ARENS. Remain standing while the chairman administers the oath.

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COLLINS. I do.

TESTIMONY OF HENRY HILL COLLINS, JR., ACCOMPANIED BY COUNSEL, JOSEPH FORER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. COLLINS. My name is Henry H. Collins, Jr., Scarsdale, N. Y., writer and publisher.

Mr. ARENS. You are appearing today, Mr. Collins, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. COLLINS. Yes. May I ask at this time what the purpose of this hearing is?

Mr. ARENS. Will you excuse me until I make the identification clear?

You are represented by counsel?

Mr. COLLINS. Yes.

Mr. ARENS. Counsel, will you identify yourself?

Mr. FORER. Joseph Forer, 711 14th Street, NW., Washington, D. C.

Mr. ARENS. You had a question, Mr. Collins?

Mr. COLLINS. Yes. What is the purpose of this hearing?

¹ Released by the committee and ordered to be printed.

Mr. ARENS. The purpose of this hearing is to develop facts which would be of use to this committee, the Committee on Un-American Activities, in the discharge of its legislative duties, principally its duties under Public Law 601, which mandates this committee to maintain a continuing surveillance over the administration and operation of the numerous security laws, espionage statutes, the Internal Security Act, the Communist Control Act, and other laws pertaining to the internal security.

Now, Mr. Collins, kindly tell this committee where and when you were born.

Mr. COLLINS. Just a minute, sir.

(The witness conferred with his counsel.)

Mr. COLLINS. I was born in Philadelphia, April 7, 1905.

I would like to state at this time I am not clear at all how my presence here can usefully serve the purpose that you have just elaborated.

Mr. ARENS. We will get to that as we proceed.

Would you kindly give us a word of your educational background?

(The witness conferred with his counsel.)

Mr. COLLINS. You had this many times before in previous hearings. I don't know why you take the taxpayers' time and money to go over these things again, but if you want to know what my education was, I am a graduate of Princeton, 1926; Harvard, 1927.

Mr. ARENS. Would you give just a comparable sketch of your employment background, please, sir?

Mr. COLLINS. I really think it is a futile waste of time. I have been through this thing many times before down here. I am sure your records are full of it. If you want to keep on printing again and again the same old things, what legislative purpose does that accomplish?

Mr. SCHERER. Let's have the answer. I haven't heard your testimony before. Let's hear it.

Mr. COLLINS. I was in private industry from 1928 to 1933. I was in Government service from 1933 to 1943; was in the Army for 2 years or 3 years, and was in Government service again for 1 year; then privately employed and then self-employed for the last period of time.

Mr. ARENS. Where were you employed in the United States Government?

Mr. COLLINS. With the NRA.

Mr. ARENS. Give us the approximate dates of the employment, please?

Mr. COLLINS. I was with the NRA from 1933 to 1935; the Department of Agriculture from 1935 to 1938. I am citing these dates from memory, now.

Mr. ARENS. In NRA from 1933 to 1935?

Mr. COLLINS. Yes.

Mr. ARENS. What is the other one?

Mr. COLLINS. These are approximate dates.

Mr. ARENS. That's right. We understand.

Mr. COLLINS. 1935 to 1938 I was with the Department of Agriculture, the Department of Labor from 1938 to 1940, and from 1940 to 1943 I served with various congressional committees.

Mr. ARENS. What congressional committees were you with?

Mr. COLLINS. The House Committee on the Interstate Migration of Destitute Citizens, the Senate Small Business Committee, and the Subcommittee on Technological Mobilization of the Senate Military Affairs Committee.

Mr. ARENS. Did that conclude your Government service? Is that all of your Government service.

Mr. COLLINS. I served in the Army of the United States.

Mr. ARENS. When was that?

Mr. COLLINS. 1943 to 1946.

Mr. ARENS. Mr. Collins, we would like to ask you to help this committee. We are trying to develop facts on matters that you have never been interrogated on, at least by this committee, we are sure.

Do you know, or have you ever known, a person by the name of Jane Foster Zlatovskiy?

Mr. COLLINS. I knew a person by the name of Jane Foster. I did not know her under the name of whatever that last name is.

Mr. ARENS. When did you know Jane Foster?

Mr. COLLINS. Well, she rented a room from us in 1940 or 1941 for a short time here in Washington.

Mr. ARENS. When you say "rented a room from us," to whom are you referring—your wife and yourself?

Mr. COLLINS. Yes. We had a house on Rodman Street, and she rented a room there.

Mr. ARENS. How did you happen to first make her acquaintance?

Mr. COLLINS. I haven't any idea.

Mr. ARENS. Is that the only acquaintanceship you had with her, the acquaintanceship of a landlord and tenant?

Mr. COLLINS. After she left there, she was in Washington for some time, and I saw her around the Hill. I think she had an office in the annex of the Library of Congress, and I was working on the Hill at that time and I saw her occasionally then, but—

Mr. ARENS. May I back up just a moment, please, sir?

How did you first meet her? Do you recall?

Mr. COLLINS. I don't have any idea at all.

Mr. ARENS. Was it in response to an ad in the paper, a room for rent, or something of that kind?

Mr. COLLINS. No. We had the room for rent, and I tried to search my memory on this because the FBI has asked me these same questions, and I have answered them in the same way, some months ago; and I have given it a great deal of thought and I do not remember at all how she happened to come to us.

I assume that it was because she was working on the Hill here and had just come to town and somebody said a young lady was looking for a place to stay, and they may have known that we had a room for rent and told us about it.

Mr. ARENS. Where was she working on the Hill?

Mr. COLLINS. I don't know. I don't know that she was working when she first came to Washington. She may have come down to look for a job.

Mr. ARENS. How long did she rent the room from you?

Mr. COLLINS. I don't know, exactly. It might have been 2 weeks; it might have been 6 weeks.

Mr. ARENS. Then you saw her afterward when she moved someplace else?

Mr. COLLINS. I casually passed her in the Library of Congress Annex.

Mr. ARENS. Did you and she ever join together or act in concert in any meetings of any kind?

Mr. COLLINS. Not that I know of.

Mr. ARENS. Have you had any correspondence——

Mr. FORER. Excuse me a minute.

(The witness conferred with his counsel.)

Mr. FORER. I thought you cut him off.

Mr. ARENS. I didn't mean to.

Mr. FORER. I know you didn't; when he was explaining what later times he had seen her.

Mr. ARENS. Amplify that.

Mr. COLLINS. I remember seeing her one other time subsequent to the time here in Washington, and that was in the spring of 1946 after I came back from service abroad and I met her in Greenwich Village. I saw her in Greenwich Village and we had dinner together.

Mr. ARENS. You saw her in New York City?

Mr. COLLINS. Yes, and that's the last time I have seen her.

Mr. ARENS. Did you, during the course of your acquaintanceship with Jane Foster, now Jane Foster Zlatovsky, learn whether or not she had ever been a member of the Communist Party?

Mr. COLLINS. No. I never learned anything of that kind from her at all. I have no knowledge of what her politics are.

* * * * *

Mr. ARENS. In passing, may I ask you did you ever know George Zlatovsky, the man who married Jane Foster?

Mr. COLLINS. That's a good question. I don't know. The FBI showed me a picture of this Jane Foster Zlatovsky—is it—and also this man named Zlatovsky, and when I first saw the pictures I wasn't sure that I knew him at all.

The picture of Jane Foster was quite different from what she appeared in my memory to be. I hadn't seen her for 10 or 12 years. On the man Zlatovsky, I may have seen him and I may not have. My memory of him—she may have had him as a caller when she was staying at our house. That's the only possible thing I could think of it.

Mr. ARENS. You knew Joan Anthony Otte?

Mr. COLLINS. Yes.

Mr. ARENS. What was the nature of your acquaintanceship with her?

Mr. COLLINS. She was my former sister-in-law.

Mr. ARENS. Did you ever recommend her for employment any place or assist her in procuring employment?

Mr. COLLINS. I don't know. I might have.

Mr. ARENS. Do you know where she was employed in the Government?

Mr. COLLINS. Well, I don't offhand.

Mr. ARENS. Do you recall whether or not she ever worked in the Lend Lease Administration?

Mr. COLLINS. Well, she might have. I really don't know.

Mr. ARENS. Do you know whether or not she was ever a member of the Communist Party?

Mr. COLLINS. No; I do not.

Mr. ARENS. Are you acquainted, or have you ever been acquainted, with a man by the name of Ben T. Moore?

Mr. COLLINS. Well, I decline to answer that question. I don't see that it has anything to do with this inquiry. I don't see how it can serve any useful, legislative purpose. Under my constitutional rights, I decline to answer that.

Mr. ARENS. Which constitutional rights are you invoking here, please?

Mr. COLLINS. Well, the first amendment and the fifth amendment.

Mr. ARENS. Which part of the fifth amendment?

Mr. COLLINS. Can't I invoke the whole fifth amendment?

Mr. ARENS. Do you feel, to be quite precise, that if you told us whether or not you know, or have ever known, Ben T. Moore you would be supplying information that might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. COLLINS. It's possible.

Mr. ARENS. Do you know a Herbert Fierst, F-i-e-r-s-t?

Mr. COLLINS. I would like to consult counsel a minute.

(The witness conferred with his counsel.)

Mr. COLLINS. Yes; I do.

* * * * *

Mr. ARENS. What was the nature of your acquaintanceship with him?

Mr. COLLINS. He was my employer.

Mr. ARENS. Where?

Mr. COLLINS. State Department.

Mr. ARENS. For some reason or other, I didn't put down on my notes here that you had ever been employed in the State Department.

Mr. COLLINS. Yes; I said 1946 I was in the Government.

Mr. ARENS. I just didn't understand that.

Mr. WILLIS. I didn't understand it either.

Mr. COLLINS. After I came back from service abroad, I was in the State Department for 6 months.

Mr. ARENS. In what capacity?

Mr. COLLINS. Well, I was—I forget my exact title—I was in the Division of Occupied Territories, and Fierst was my superior there.

Mr. ARENS. What was Fierst's job?

Mr. COLLINS. Well, functionally—I can't give you the title, but, functionally, he was assistant to General Hildring.

Mr. ARENS. Who obtained your job for you in the State Department?

Mr. COLLINS. I applied for it. I got it through Fierst.

* * * * *

Mr. ARENS. What caused your disassociation from the State Department?

Mr. COLLINS. I had a temporary contract for 6 months.

Mr. ARENS. What did you do as an employee of the State Department?

Mr. COLLINS. Well, I was in charge of the repatriation and resettlement work under Fierst and in association with Fierst.

Mr. ARENS. Repatriation of whom?

Mr. COLLINS. And resettlement of displaced persons.

Mr. ARENS. Was that resettlement of displaced persons in the United States?

Mr. COLLINS. No; abroad.

Mr. ARENS. Resettlement within displaced-persons camps, or repatriation to the country from which they came?

Mr. COLLINS. Both. Our jurisdiction included what to do with the DP's. I had been a displaced-persons officer in Germany and when I came back I talked to the people at that time in the War Department who were in charge of this particular area of operations and described some of the problems that we had; and they were very grateful to get my view, having come freshly from the other side; and shortly thereafter this entire bloc of personnel from the War Department was shifted to the State Department; and Fierst, at that time, asked me to come and work with him on this subject of displaced persons.

Mr. ARENS. For whom did you work in Europe when you dealt with displaced persons?

Mr. COLLINS. Well, I was in military command. I was military-government officer in Wurzburg, Germany.

Mr. ARENS. Were you detailed as a displaced-persons officer under the Army, or were you detailed to UNRRA, or what was the structural setup of the organization under which you functioned when you were dealing with displaced persons?

Mr. COLLINS. I was associated with the military government of Mainfranken in Bavaria. We had what was called a Regierungsbezirke or a regional team in which we had a number of different officers with different assignments.

Perhaps you were over there at the time and know about this. My job was to act as displaced-persons officer.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. COLLINS. Just a minute.

(The witness conferred with his counsel.)

Mr. COLLINS. I don't see what that has to do with the legislative purpose of this inquiry and I decline to answer for the reasons previously stated.

Mr. ARENS. Do you honestly apprehend that if you told this committee while you are under oath whether or not you are now a member of the Communist Party, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. COLLINS. It's possible.

Mr. ARENS. Were you a member of the Communist Party while you were employed by the United States Government?

Mr. COLLINS. I decline to answer that for the same reasons.

Mr. ARENS. Can you give us now the names of persons whom you recommended for employment in the United States Government at any time when you were employed by the United States Government?

Mr. COLLINS. I can't do it just out of my own mind.

Mr. ARENS. Are there some whom you did recommend?

Mr. COLLINS. It's entirely possible, but I don't really remember.

Mr. ARENS. Do you have any recollection of any person whom you recommended for employment?

Mr. COLLINS. If you want to refresh my memory, I will be glad to have you do that, but I can't just sitting here think of them.

Mr. ARENS. Did you at any time recommend Joan Anthony Otte for employment in the Government of the United States?

Mr. COLLINS. I may well have.

Mr. ARENS. Do you know a person by the name of I. F. Stone?

(The witness conferred with his counsel.)

Mr. COLLINS. Sure.

Mr. ARENS. What's the nature of your acquaintanceship with him?

Mr. COLLINS. Just friendship.

Mr. ARENS. How did you make his acquaintance?

Mr. COLLINS. He was a newspaperman and used to cover some of our hearings.

Mr. ARENS. What hearings?

Mr. COLLINS. Hearings before the Senate Small Business Committee.

Mr. ARENS. Is that the only association you had with him?

Mr. COLLINS. No. I've seen him subsequently. I haven't seen him for some years now.

Mr. ARENS. Do you know whether or not he has ever been a member of the Communist Party?

Mr. COLLINS. No; I do not.

* * * * *

Mr. ARENS. Do you have presently any information respecting any alleged Communist Party activities of Jane Foster Zlatovsky?

Mr. COLLINS. I do not.

Mr. ARENS. At any time?

Mr. COLLINS. No; I do not.

Mr. ARENS. I suggest, Mr. Chairman, that we conclude the staff interrogation of this witness.

Mr. WILLIS. The witness will be excused.

Mr. ARENS. Mr. Beitscher, please.

Please remain standing while the chairman administers the oath.

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BEITSCHER. I do.

TESTIMONY OF HENRY BEITSCHER, ACCOMPANIED BY COUNSEL, JOSEPH FORER

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. BEITSCHER. My name is Henry Beitscher. I live at 6620 North 18th Street in Philadelphia.

Mr. ARENS. You are appearing today, Mr. Beitscher, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. BEITSCHER. Yes.

Mr. ARENS. You are represented by counsel?

Mr. BEITSCHER. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. FORER. Joseph Forer, 711 14th Street NW., Washington, D. C.

Mr. ARENS. Mr. Beitscher, would you give us your full name? I want to be sure this record reflects your full name. We have Henry Beitscher. Do you have a middle name?

Mr. BEITSCHER. No, I don't. It's Henry Beitscher.

Mr. ARENS. You have used that name always throughout your life?

Mr. BEITSCHER. To the best of my knowledge, that's my only name.

Mr. ARENS. Where and when were you born?

Mr. BEITSCHER. I was born on the 5th of January 1916.

Mr. ARENS. Where?

Mr. BEITSCHER. In New York City.

Mr. ARENS. Give us just a thumbnail sketch of the highlights of your educational background.

Mr. BEITSCHER. I attended public school in New York City and went to college in New York. I spent the year in college during the day and went to work, and spent somewhere between 6 and 7 years in college at night.

Mr. ARENS. When did you finally receive your degree?

Mr. BEITSCHER. I didn't

Mr. ARENS. What college did you attend?

Mr. BEITSCHER. City College of New York.

Mr. ARENS. When did you conclude your work at City College?

Mr. BEITSCHER. It was somewhere between 1937 and 1948.

Mr. ARENS. Give us just the highlights, if you please, of your employment background since you reached adulthood—the principal employments.

Mr. BEITSCHER. Would you mind stating to me the purpose of the inquiry before I do that?

Mr. ARENS. Yes, sir. This Committee on Un-American Activities is under a mandate by the Congress of the United States to develop facts respecting the operation of Communists and communism in the United States for the purpose of appraising existing legislation or for the purpose of considering amendments to existing legislation or new laws on the subject.

It is the information of this committee that you, in all probability, have certain information in your possession respecting the operation of the Communist Party in the United States. Pursuant to that mandate of the committee, we want to know about your own personal activities in view of the fact that we feel you have that information.

Now kindly tell us what are the principal employments which you have had since you have reached adulthood.

(The witness conferred with his counsel.)

Mr. BEITSCHER. It still isn't fully clear to me exactly what—

Mr. ARENS. I think it will be clear, Mr. Beitscher, much clearer, as we proceed. If you will just kindly help us and give us a résumé—

Mr. BEITSCHER. I would be glad to give it to you. The purpose may be legitimate enough, but surely you can't be interested in my whole occupational background. You must have some particular period in mind that you are interested in.

Mr. ARENS. I respectfully suggest to the chairman that the witness be ordered and directed to answer the question as to the principal employments he has had since he concluded his education.

(The witness conferred with his counsel.)

Mr. BEITSCHER. I am compelled to decline to answer that question on the grounds that this committee is illegal under the Watkins decision, that there is no legislative purpose served by asking this question, on the grounds of the first amendment, and on the grounds of not being compelled to be a witness against myself under the fifth amendment.

Mr. ARENS. May I just ask you this: If you gave us a résumé of your employment, do you honestly apprehend that those facts which you would give us could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. BEITSCHER. It's possible.

Mr. ARENS. What is your present employment?

Mr. BEITSCHER. I am employed by a mill supply house, U. S. Equipment Co.

Mr. ARENS. In what capacity?

Mr. BEITSCHER. I am an expediter.

Mr. ARENS. For how long have you been employed by this firm?

Mr. BEITSCHER. For approximately a year and three-quarters.

Mr. ARENS. What is the name of the firm?

Mr. BEITSCHER. U. S. Equipment Co.

Mr. ARENS. Where is it located?

Mr. BEITSCHER. It's located in Neshaminy.

Mr. ARENS. How long have you been employed there?

Mr. BEITSCHER. Around a year and three-quarters.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. BEITSCHER. I was employed by a trailer leasing company.

Mr. ARENS. And the name of that company?

Mr. BEITSCHER. It was called Trailer Center.

Mr. ARENS. Where was it located?

Mr. BEITSCHER. Off Whitaker and Godfrey Avenues in Philadelphia.

Mr. ARENS. How long were you employed there?

Mr. BEITSCHER. Around 4 months.

Mr. ARENS. What was your job there?

Mr. BEITSCHER. I participated in the leasing of trailers.

Mr. ARENS. What was your job immediately prior to your job with the trailer company?

Mr. BEITSCHER. I refuse to answer that question on the grounds I have already stated.

Mr. ARENS. How long did your job last that you had prior to your job with the trailer company?

Mr. BEITSCHER. I cannot answer that for the reasons I have already stated.

Mr. ARENS. Have you ever worked for the United States Government?

Mr. BEITSCHER. Yes; I have.

Mr. ARENS. Where did you work for the United States Government?

Mr. BEITSCHER. Well, I worked in a number of Government agencies.

Mr. ARENS. List them all, please.

Mr. BEITSCHER. The Census Bureau.

Mr. ARENS. May I ask you this, if you will kindly accommodate us—give it to us in chronological order and the approximate dates, please sir?

Mr. BEITSCHER. I will try to do that. It is a little confusing in my mind, but I will try to give you a chronology. I started with the Census Bureau in 1939, and I went from the—

Mr. ARENS. May I interrupt? I don't want to break up your trend of thought. Tell us the job you had in each of the agencies. What did you do in Census, the period of your service, and then the next one.

Mr. BEITSCHER. I was a clerk in the Census Bureau.

Mr. ARENS. In Washington?

Mr. BEITSCHER. In Washington.

Mr. ARENS. 1939?

Mr. BEITSCHER. In 1939. I went to the Coordinator of Inter-American Affairs in 1941, and I was employed there as a clerk. From there I went to the Board of Economic Warfare, where I was also employed in a clerical capacity.

Mr. ARENS. That is BEW, and when was that?

Mr. BEITSCHER. This was somewhere in the same period of 1941 to 1942. These are very approximate dates, because I didn't review my job history on this. Then I went from there to the OPA in around 1943, and I was in the OPA until my division was abolished and I went from there to the Department of Commerce in around 1945 or 1946, and I was in the Department of Commerce until I left at the end of 1947.

Mr. ARENS. Is that all the Government employment that you have had?

Mr. BEITSCHER. That's all the Government employment I have had.

Mr. ARENS. What precipitated your disassociation from the Government of the United States, particularly from the Department of Commerce?

Mr. BEITSCHER. I resigned voluntarily.

Mr. ARENS. Were you at the time the subject of a loyalty investigation?

Mr. BEITSCHER. To my knowledge, I wasn't. I had been cleared by the Civil Service Commission and received my civil-service status, and I don't remember any other loyalty investigation following that.

Mr. ARENS. What was your employment then, immediately following your Government employment?

Mr. BEITSCHER. For the reasons I have already stated, I refuse to answer that question.

Mr. ARENS. Has there been any employment since the Government employment and until the time that you were employed by the trailer company concerning which you can tell us without giving facts which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. BEITSCHER. Can you state it again to me, Mr. Arens?

Mr. ARENS. Is there any employment in which you have been engaged since 1947, when you left the Government, up until the time you had this trailer-company employment you told us about, any employment in that period which you can now tell us about without giving facts which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. BEITSCHER. There is no such employment that I am willing to tell you about, for the reasons I have already stated.

Mr. ARENS. Do those reasons encompass and include an assertion by you that if you told us about the employment you would be giving facts which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. BEITSCHER. I believe I have already answered that question.

Mr. ARENS. Answer it again, then, please, sir.

Mr. BEITSCHER. Yes; it's possible.

Mr. ARENS. When you were an employee of the United States Government, were you at any time concurrently, simultaneously, with that employment a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BEITSCHER. I have already given my grounds for refusing to answer that question.

Mr. ARENS. No; you haven't had that question before.

Mr. BEITSCHER. Well, for the same reasons that I have declined to answer before, I decline to answer that question.

Mr. ARENS. When you were in BEW, Board of Economic Warfare, did you know Jane Foster, a woman by the name of Jane Foster, who is now Jane Foster Zlatovsky?

Mr. BEITSCHER. The name doesn't ring any kind of bell with me; and, to the best of my knowledge, I did not know anyone by the name of Jane Foster.

Do you have any identification of her or any way—I am very poor on names.

Mr. ARENS. It is our information she was employed in BEW at or about this period of time, and her name is now changed, having been married to Mr. Zlatovsky, to Jane Foster Zlatovsky.

Mr. BEITSCHER. Of course, there are hundreds and hundreds of people—

Mr. ARENS. You have no recollection of her?

Mr. BEITSCHER. To the best of my knowledge, I don't know her.

Mr. ARENS. At any time during the course of your employment with the Government of the United States, did you know a person by the name of Eleanor Nelson?

Mr. BEITSCHER. Yes.

Mr. ARENS. What was the nature of your acquaintance?

Mr. BEITSCHER. She was the secretary-treasurer of the union of which I was a member.

Mr. ARENS. What union was that?

Mr. BEITSCHER. United Federal Workers.

Mr. ARENS. Was that Abram Flaxer's organization?

Mr. BEITSCHER. That then became the United Public Workers.

Mr. ARENS. That's the one that Flaxer did have?

Mr. BEITSCHER. Yes.

Mr. ARENS. Where were you employed at the time?

Mr. BEITSCHER. I was a member of that union from the time of my first employment in the Census Bureau.

Mr. ARENS. And on through your Government employment?

Mr. BEITSCHER. Yes.

Mr. ARENS. Did you have an officer post in the union?

Mr. BEITSCHER. I held several posts in the union.

Mr. ARENS. Just give us a few of the principal ones.

Mr. BEITSCHER. Well, I was on the executive board of my local union. I was on the grievance committee and chairman of the grievance committee. I was at one point a member of the district committee, the Washington committee of the union, and I was a delegate to the CIO council in Washington, and I was a member of the national committee of the union.

Mr. ARENS. Do you know where Eleanor Nelson is now?

Mr. BEITSCHER. Eleanor Nelson has died.

* * * * *

Mr. ARENS. Alexander Ganz. Did you know him?

Mr. BEITSCHER. I may have known him.

Mr. ARENS. Where would that be—do you recall?

Mr. BEITSCHER. No, frankly, I don't. His name sounds familiar to me.

Mr. ARENS. Wilfred Lumer?

Mr. BEITSCHER. Again, his name sounds familiar. Would you or could you jog my memory somehow on how you think I may have known this person?

Mr. ARENS. You would have known him, if you knew him, in the OPA days in all probability.

Mr. BEITSCHER. Well, that's possible. His name sounds familiar to me. I believe I knew a Will Lumer.

Mr. ARENS. How did you know Will Lumer? Did you know him as a Communist?

Mr. BEITSCHER. For the same reasons, I decline to answer that question. If I knew him, I would know him as somebody who worked in the same agency that I did and in some connection with my union activity.

* * * * *

Mr. ARENS. Are you now a Communist, a member of the Communist Party?

Mr. BEITSCHER. I decline to answer that for the same reasons.

Mr. ARENS. Did you know a John B. Rackliffe?

Mr. BEITSCHER. Yes.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Mr. BEITSCHER. Well, I can't give you anything more than a general type of answer to that.

Mr. ARENS. Was that during your OPA days?

Mr. BEITSCHER. Probably during my OPA days, although I don't believe he worked for OPA.

Mr. ARENS. Do you know whether or not he is a Communist or was a Communist?

Mr. BEITSCHER. I must decline to answer that for the same reasons.

Mr. ARENS. Esther Auerbach, now Esther Stavis?

Mr. BEITSCHER. Esther Auerbach.

Mr. ARENS. If that name doesn't register, just tell us.

Mr. BEITSCHER. It doesn't register with me at all.

Mr. ARENS. William Rossmore, R-o-s-s-m-o-o-r-e?

Mr. BEITSCHER. His name sounds familiar. I believe I knew him in OPA.

Mr. ARENS. Do you know whether or not he was a Communist?

Mr. BEITSCHER. I must decline to answer that for the same reasons.

Mr. ARENS. The Communists controlled this Government union, did they not, Flaxer's union, United Public Workers?

Mr. BEITSCHER. This union was controlled by its members as far as I know.

Mr. ARENS. Didn't Communists occupy key posts of leadership in the organization?

Mr. BEITSCHER. The people who I know who occupied key posts were very fine people.

Mr. ARENS. I didn't ask you that. You know that. Did Communists occupy key posts of leadership?

(The witness conferred with his counsel.)

Mr. BEITSCHER. I refuse to answer that on the same grounds.

Mr. ARENS. Do you know Miriam Waybur?

Mr. BEITSCHER. Yes, I knew Miriam Waybur.

Mr. ARENS. Where; that is, in what agency were you working at the time, if you recall?

Mr. BEITSCHER. The only way I could put it together is we lived in the same apartment house during one period of time and I don't recall what time that was. It was somewhere in town.

Mr. ARENS. Did you know her solely and exclusively as a co-tenant of an apartment house, or did you know her in some other capacity?

Mr. BEITSCHER. I don't understand what you mean.

Mr. ARENS. Did you know her as a Communist?

Mr. BEITSCHER. I decline to answer that on the same grounds.

Mr. ARENS. Arthur Stein?

Mr. BEITSCHER. Yes, I knew Arthur Stein.

Mr. ARENS. Where and when, please, sir?

Mr. BEITSCHER. Arthur Stein was an officer of the Federal Workers Union.

Mr. ARENS. Where was he employed?

Mr. BEITSCHER. At the time I knew him he was employed by the union.

Mr. ARENS. Was he a Communist?

Mr. BEITSCHER. I must decline to answer that for the same reasons.

Mr. ARENS. Mary Rackliffe?

Mr. BEITSCHER. Mary Rackliffe I knew in OPA.

Mr. ARENS. Do you know whether or not she was a Communist?

Mr. BEITSCHER. I must decline to answer that for the same reasons.

Mr. ARENS. Philip Eden, E-d-e-n?

Mr. BEITSCHER. I believe I knew Philip Eden.

Mr. ARENS. Where and when?

Mr. BEITSCHER. In the course of my union work.

Mr. ARENS. Was he identified with the union?

Mr. BEITSCHER. Yes. He sat on some union committees.

Mr. ARENS. Was he a Communist to your knowledge?

Mr. BEITSCHER. I must decline to answer that for the same reasons.

* * * * *

Mr. ARENS. William Shonick, S-h-o-n-i-c-k?

Mr. BEITSCHER. I knew William Shonick.

Mr. ARENS. Under what circumstances?

Mr. BEITSCHER. They were union circumstances.

Mr. ARENS. Do you know whether or not he was a Communist?

Mr. BEITSCHER. I must decline to answer that for the same reasons.

Mr. ARENS. Olivia Israeli?

Mr. BEITSCHER. Olivia Israeli?. That name doesn't sound familiar to me.

Mr. ARENS. Joseph Phillips?

Mr. BEITSCHER. I knew Joseph Phillips.

Mr. ARENS. Where?

Mr. BEITSCHER. Where did I know him?

Mr. ARENS. Yes, sir. Under what circumstances and where, please, sir?

Mr. BEITSCHER. I knew him in the union.

Mr. ARENS. Did you know him as a Communist?

Mr. BEITSCHER. I must decline to answer that on the same grounds.

Mr. ARENS. Julia Schneer, S-c-h-n-e-e-r?

Mr. BEITSCHER. That's the woman that was outside.

Mr. ARENS. Did you know her?

Mr. BEITSCHER. Her face looks familiar to me, but I can't recollect any circumstances other than just knowing her face.

Mr. ARENS. That concludes the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

* * * * *

(Whereupon, at 11:50 a. m., October 8, 1957, the subcommittee recessed, to reconvene at 2 p. m. the same day.)

AFTERNOON SESSION, TUESDAY, OCTOBER 8, 1957

(The hearing was resumed at 2 p. m., pursuant to the recess.)

Mr. WILLIS Let us proceed.

Mr. ARENS. Will you please remain standing while the chairman administers an oath?

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SCHNEER. Yes, sir.

TESTIMONY OF JULIA SCHNEER, ACCOMPANIED BY COUNSEL, MILDRED ROTH

Mr. ARENS. Please have a seat and kindly identify yourself by name, residence, and occupation.

Mrs. SCHNEER. My name is Julia Schneer. I live at 20 Commerce Street, New York City, and I am a secretary.

Mr. ARENS. Is it Miss or Mrs.?

Mrs. SCHNEER. Mrs.

Mr. ARENS. You are appearing today, Mrs. Schneer, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. SCHNEER. Yes.

Mr. ARENS. And you are represented by counsel?

Mrs. SCHNEER. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Miss ROTH. Mildred Roth, 401 Broadway, New York City.

Mr. ARENS. Where are you employed, Mrs. Schneer?

Mrs. SCHNEER. At the Dryden Press.

Mr. ARENS. In what capacity are you employed?

Mrs. SCHNEER. As a secretary.

Mr. ARENS. How long have you been employed there?

Mrs. SCHNEER. About a year.

Mr. ARENS. And what was your employment immediately prior to your present employment?

Mrs. SCHNEER. Oh, I was doing free-lance work for a while, quite a while.

Mr. ARENS. Was that free-lance writing?

Mrs. SCHNEER. No; just manuscript work.

Mr. ARENS. What do you mean by manuscript work?

Mrs. SCHNEER. Typing out manuscripts.

Mr. ARENS. Have you ever worked in the United States Government?

Mrs. SCHNEER. Yes.

Mr. ARENS. When did you work in the United States Government?

Mrs. SCHNEER. It's about 1942.

Mr. ARENS. And where? What agency?

Mrs. SCHNEER. OPA.

Mr. ARENS. And for how long?

Mrs. SCHNEER. It must have been about 2 years, I guess.

Mr. ARENS. I wonder if you can help us, Mrs. Schneer, on some identifications here. During the course of your employment in the United States Government, did you know a person by the name of Jane Foster, who is now Jane Foster Zlatovskiy?

Mrs. SCHNEER. I never knew her. Don't know the name.

* * * * *

Mr. ARENS. Do you know Jack Stachel?

Mrs. SCHNEER. I decline to answer on the basis of my rights under the fifth amendment.

Mr. ARENS. Is he your brother-in-law? Do you have a brother-in-law?

Mrs. SCHNEER. I decline to answer on the basis of my rights under the fifth amendment.

Mr. ARENS. Are you now a Communist, a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. SCHNEER. I decline to answer on the basis—

Mr. ARENS. Was your employment in OPA your only employment in the Federal Government?

Miss ROTH. Answer completely.

Mrs. SCHNEER. I am having very bad palpitations. I am subject to palpitations.

Mr. ARENS. Just relax. We do not mean to excite you at all. Was your employment in the OPA the only employment you had in the Federal Government?

Mrs. SCHNEER. Yes.

Mr. ARENS. And that concluded in 1944, did it not?

Mrs. SCHNEER. It must have been about that time, I don't remember.

Mr. ARENS. Tell us just the principal employments you have had since you left OPA in 1944.

Mrs. SCHNEER. You mean since then?

Mr. ARENS. Yes, just the principal ones, not the incidental ones, like this manuscript typing you have been talking about.

Mrs. SCHNEER. Excuse me.

(Witness confers with her counsel.)

Mrs. SCHNEER. Well, I have been doing, as I said, a great deal of free lancing and working at various places and I did have some jobs that were of longer duration.

Mr. ARENS. What were the principal employments you had other than this free-lance work?

Mrs. SCHNEER. I was with the ASPCA.

Mr. ARENS. What is ASPCA, what does it mean?

Mrs. SCHNEER. American Society for the Prevention of Cruelty to Animals.

Mr. ARENS. What post did you have in that organization?

Mrs. SCHNEER. Secretarial.

Mr. ARENS. Who was head of that organization?

Mrs. SCHNEER. At that time? Well there were two men, one a Mr. Coleman, who died, and Mr. McSpadden.

Mr. ARENS. Is he the one who employed you?

Mrs. SCHNEER. Mr. McSpadden.

Mr. ARENS. How long did you work there?

Mrs. SCHNEER. I worked there for about, I think, a little over 2 years.

Mr. ARENS. What caused you to leave there?

Mrs. SCHNEER. They were very much out of the way and I was very much run down at the time. I had a bad back.

Mr. ARENS. And have you had another principal employment since then?

Mrs. SCHNEER. Just a moment. Let me think.

(Witness confers with her counsel.)

Mrs. SCHNEER. I worked for Playbill for a few months.

Mr. ARENS. Do you have any information respecting a Communist cell in the Board of Economic Warfare?

Mrs. SCHNEER. I decline to answer on the basis of my rights under the fifth amendment.

Mr. ARENS. Have you left the Communist Party, disassociated yourself from the Communist Party?

Mrs. SCHNEER. I decline to answer on the basis of the——

Mr. ARENS. Are you now a Communist?

Mrs. SCHNEER. I decline to answer on the same basis.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness will be excused.

* * * * *

(Whereupon at 3:12 p. m., Tuesday, October 8, 1957, the hearing was concluded.)

INVESTIGATION OF SOVIET ESPIONAGE

WEDNESDAY, OCTOBER 9, 1957

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.
EXECUTIVE SESSION ¹

The subcommittee of the Committee on Un-American Activities met in executive session, at 2:25 p. m., pursuant to call, in the caucus room, Old House Office Building, Hon. Edwin E. Willis presiding.

Committee members present: Representatives Edwin E. Willis, of Louisiana, and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, staff director, and Louis J. Russell, investigator.

Mr. WILLIS. The subcommittee will be in order.

Call your first witness, Mr. Counsel.

Mr. ARENS. Mr. Rossmoore.

Mr. WILLIS. Kindly raise your right hand. Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth?

Mr. ROSSMOORE. I do.

TESTIMONY OF WILLIAM ROSSMOORE, ACCOMPANIED BY COUNSEL, MORRIS M. SCHNITZER

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. ROSSMOORE. William Rossmoore, 4 Tuers Place, Montclair, N. J. I am an attorney.

Mr. ARENS. Mr. Rossmoore, you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. ROSSMOORE. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. ROSSMOORE. Yes, I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. SCHNITZER. Morris M. Schnitzer, a member of the New Jersey bar. I have my business office at 1180 Raymond Boulevard, Newark, N. J.

Mr. ARENS. How long have you been licensed to practice law, Mr. Rossmoore?

Mr. ROSSMOORE. Going on 10 years.

¹ Released by the committee and ordered to be printed.

Mr. ARENS. Where and when were you born?

Mr. ROSSMOORE. New York, in 1918.

Mr. ARENS. Give us, if you please, sir, just a brief sketch of your education.

Mr. ROSSMOORE. I went to grammar school and high school in New York, and went to college.

Mr. ARENS. What college did you attend?

Mr. ROSSMOORE. I was graduated from Harvard.

Mr. ARENS. When?

Mr. ROSSMOORE. 1940.

Mr. ARENS. Then did you go to law school?

Mr. ROSSMOORE. No. I entered the employ of the United States Government.

Mr. ARENS. Tell us about that employment, please, sir.

Mr. ROSSMOORE. Well, I worked for a little over a year for the Department of Agriculture.

Mr. ARENS. When?

Mr. ROSSMOORE. That would be from shortly after I got out of college, in June of 1940. I don't remember when I started work.

Mr. ARENS. All right, sir. In what capacity did you work for the Department of Agriculture?

Mr. ROSSMOORE. Well, in varying capacities. I started my official title as a junior clerk, and when I left I was some kind of an administrative assistant. I don't remember the exact title.

Mr. ARENS. And your next employment, please?

Mr. ROSSMOORE. With the Office of Price Administration, a war agency in Washington.

Mr. ARENS. When?

Mr. ROSSMOORE. I began work there some time in the summer of 1941, I believe. I remained with them until probably about January or February of 1943, when I enlisted in the United States Army, specifically in the Air Force. I went through Air Force training, aviation cadets, and became a bomber pilot and flew combat missions in the European theater.

Mr. ARENS. And your next employment, please, sir?

Mr. ROSSMOORE. It was after I got out of the Army in 1945 that I went to law school.

Mr. ARENS. Where?

Mr. ROSSMOORE. Columbia Law School in New York City.

Mr. ARENS. And did you graduate there?

Mr. ROSSMOORE. Yes.

Mr. ARENS. When?

Mr. ROSSMOORE. In the fall of 1947.

Mr. ARENS. I am not too certain about the chronology of events now. Did you assume the practice of law immediately?

Mr. ROSSMOORE. Yes. Then I went into private practice in New Jersey and I have been there ever since.

Mr. ARENS. Mr. Ross Moore, during the course of your experience in OPA, did you know a lady by the name of _____?

Mr. ROSSMOORE. Mr. Counsel, I think I am going to object to answering this question and similar questions. With the permission of the committee, I would like to state my reasons.

Mr. ARENS. Please do.

Mr. ROSSMOORE. Well, this situation, my being here, involves an issue of principle for me. I am a practicing lawyer, as I have told you. I have taken an oath to defend the Constitution, not only for myself but also for others, including people whom I have represented on occasion.

Mr. WILLIS. Do you mind talking a little louder? I cannot follow you.

Mr. ROSSMOORE. I am sorry. I have had many opportunities over the years to reflect on the importance of protecting individual liberties and decency, particularly when I was piloting combat missions over Europe. It is my opinion that the heritage of the American citizen is invaded when he is compelled by anyone to make a compulsory disclosure of either his speech, his beliefs, his opinions, or his associations.

In my opinion, the recent decision of the Supreme Court of the United States in the Watkins case says that the first amendment to our Constitution prohibits any such inquiries as an invasion of the constitutional right of privacy, at least with respect to this area of speech and beliefs and opinions and associations.

It is my opinion that the only way that these rights can remain vigorous and be meaningful is to exercise them when the occasion presents itself. This is a deep matter of conscience for me to do so.

I want to make it clear, in saying this, that I am not claiming the fifth amendment privilege against self-incrimination. I don't want to leave this committee with the impression that I am opposed to legislative investigations, per se, of all kinds.

For example, I don't think that the first amendment requires me to be silent about acts, as divorced from associations, beliefs, opinions, and speech. I am prepared to answer questions about such acts.

Mr. ARENS. Could I interject this question?

Have you ever been active in the Communist Party?

Mr. ROSSMOORE. Sir, I think you are back into the question of association. I said acts divorced from associations. I want to say something else about this.

In my opinion the decision of the Watkins case holds that the inquiries which you are making of me are not legally authorized——

Mr. WILLIS. I really can't follow you.

Mr. ROSSMOORE. I am sorry. I am not used to talking in a microphone. I am used to addressing smaller courts where we don't use a microphone.

The Watkins case holds that this inquiry, and the particular questions that have been addressed to me, aren't legally authorized and are not allowed by the due process clause. I base my objections on these grounds as well. Really the issue here is one of compulsion. If I weren't under subpoena, compelled to give answers, the situation might be different. If the committee were asking my cooperation on a voluntary basis to give information or opinions on matters which are properly the concern of the Congress, I would be glad to do so.

But when I am here under compulsory process, compelled to give sworn testimony, I think that——

Mr. SCHERER. Do you mean you would be willing to cooperate with the committee if you were not under oath?

Mr. ROSSMOORE. It isn't a question of oath, sir. It is a question of compulsion. It is a question of conscience. I don't think that I, having taken an oath to support and defend the Constitution, can acquiesce in a compulsory process, which I understand, and which I believe the Supreme Court has held, to be in violation of the Constitution.

Mr. ARENS. Now, please tell the committee—does that conclude your statement?

Mr. ROSSMOORE. Yes, sir.

Mr. ARENS. Now, please tell this committee: Are you now, or have you ever been, a Communist, a member of the Communist Party?

Mr. ROSSMOORE. Sir, I think what I have just said applies to that sort of question, too.

Mr. ARENS. I respectfully suggest, Mr. Chairman——

Mr. WILLIS. You are not invoking the fifth amendment?

Mr. ROSSMOORE. Not that part of it. The due process clause which I mentioned is part of the fifth amendment. To that extent, I am relying on the fifth amendment.

Mr. ARENS. You are not invoking that part of the fifth amendment which provides, in effect, that a witness may not be compelled to give testimony which in his judgment may incriminate him in a criminal proceeding?

Mr. ROSSMOORE. That is right. I am not invoking that.

Mr. SCHERER. I ask that the witness be directed to answer the question.

Mr. WILLIS. What is the question?

Mr. ARENS. The pending question is: Are you now, or have you ever been, a member of the Communist Party?

Mr. SCHERER. He has not invoked the fifth amendment.

Mr. WILLIS. I direct you to answer the question.

Mr. ROSSMOORE. Sir, I must respectfully repeat the reasons which I stated before.

Mr. ARENS. Who was your commanding officer in the Air Force?

Mr. ROSSMOORE. Oh, boy. I don't remember, sir. I probably had many of them.

Mr. ARENS. Who was your first commanding officer in the Air Force?

Mr. ROSSMOORE. I don't remember.

Mr. ARENS. Who was your last commanding officer in the Air Force?

Mr. ROSSMOORE. I don't remember.

Mr. ARENS. During the course of your OPA days, did you know a lady by the name of Jane Foster?

Mr. ROSSMOORE. Sir, I am going to repeat the same answer. This is another association question.

Mr. SCHERER. Association? She is an indicted espionage agent. Let's not talk about association. That is what we are asking you now.

Mr. ARENS. Are you now a Communist, a member of the Communist Party?

Mr. ROSSMOORE. Sir, I think I will repeat the same reasons to that same type of question.

Mr. ARENS. During the course of your OPA days, were you connected with a Federal employees' organization?

Mr. ROSSMOORE. Well, I think again, sir—I think you are in the same area that I said that I would respectfully decline to answer on.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question as to whether he was a member of a Federal workers organization or union during his OPA days.

Mr. WILLIS. You are directed to answer that question.

Mr. ROSSMOORE. Sir, I must respectfully again repeat the reasons which I stated earlier.

Mr. ARENS. Were you a member of the Communist Party while you were in the Air Force?

Mr. ROSSMOORE. Well, the way the question is, it is a little bit ridiculous. I was pretty busy flying missions. But, as a matter of principle, I am going to refuse to answer that, too.

Mr. ARENS. Have you ever, since your adult life, been out of the Communist Party?

Mr. ROSSMOORE. I think you are asking me the same question in a different form. The same statement applies.

Mr. ARENS. Have you ever belonged to any lawyers associations or lawyers clubs?

Mr. ROSSMOORE. Again, sir, I think that you are in the same field, which I think is beyond the scope of this committee.

Mr. ARENS. I put it to you as a fact, sir, that you were a member of the Lawyers Club, Essex County, New Jersey branch, of the Communist Party. If that isn't so, deny it while you are under oath.

Mr. ROSSMOORE. Sir, I think it is the same question. I will decline to answer.

Mr. ARENS. Have you ever been connected with the Red Army Day dinner?

(The witness conferred with his counsel.)

Mr. WILLIS. What was the name?

Mr. ARENS. Red Army Day dinner.

Mr. ROSSMOORE. I think this is——

Mr. ARENS. Kindly answer the question.

Mr. ROSSMOORE. I think it is the same type of a question that I previously stated my position on.

Mr. ARENS. Do you have information presently regarding the underground finances of the Communist Party?

(The witness conferred with his counsel.)

Mr. ROSSMOORE. I think that that question comes in the same territory on which I have already stated my position.

* * * * *

Mr. ARENS. Are you in practice by yourself, or do you have an associate?

Mr. ROSSMOORE. Well, again you are asking me about associations. I don't think it is the proper business——

(The witness conferred with his counsel.)

Mr. SCHERER. I ask you to direct the witness to answer with whom he is associated, if anybody, in the practice of law, for the purpose of identification.

Mr. WILLIS. Do you want to reconsider that answer?

Mr. ROSSMOORE. I really think that it covers the same ground of associations. I might well except it. It is certainly a matter of

public knowledge, but I think it is a matter of principle that really falls outside the scope of any proper inquiry.

Mr. WILLIS. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. ROSSMOORE. What was the question?

Mr. ARENS. With whom are you associated in the practice of law, or do you have an associate?

Mr. ROSSMOORE. I have a partnership.

Mr. ARENS. With whom?

Mr. ROSSMOORE. With a gentleman by the name of Samuel M. Koenigsberg.

Mr. ARENS. Is he the only one with whom you are associated in the practice of law?

Mr. ROSSMOORE. He is the only one that I am associated with now. In the practice of law, you get involved with many other lawyers in the handling of cases.

Mr. SCHERER. You know we don't mean that.

Mr. ARENS. Do you know, or have you known, a person by the name of Jack Rackliffe?

Mr. ROSSMOORE. Again you are getting into——

Mr. ARENS. Do you decline to answer the question?

Mr. ROSSMOORE. Yes, sir.

Mr. ARENS. Do you presently have knowledge concerning the operation, in the course of the last few years, of the Communist conspiracy which you have gained from firsthand participation in that conspiracy in the United States?

Mr. ROSSMOORE. Well, sir, I think that you are really asking the same question which I have declined to answer before.

Mr. ARENS. Do you decline to answer this question?

Mr. ROSSMOORE. Yes.

Mr. ARENS. I respectfully request that he be directed to answer the question.

Mr. WILLIS. You are directed to answer the question.

Mr. ROSSMOORE. I repeat my answer.

Mr. SCHERER. In refusing to answer that question, I understand you are not invoking the self-incrimination provision of the fifth amendment?

Mr. ROSSMOORE. That is right. I am invoking my conscience as a citizen and my duty as an attorney to support the Constitution.

Mr. ARENS. You are not impelled by patriotism in any way to invoke the fifth amendment?

Mr. ROSSMOORE. Well, conscience and patriotism.

Mr. ARENS. On the basis of your patriotic impulses, do you presently have information respecting the operation of the Communist Party in the United States, which you have gained from firsthand participation in that operation?

Mr. ROSSMOORE. Sir, I think you are just repeating the previous question, which I must give the same answer to.

Mr. ARENS. Do you know, or have you known, a person by the name of Wilfred Lumer?

Mr. ROSSMOORE. Again I decline to answer that.

Mr. ARENS. On the same basis?

Mr. ROSSMOORE. The same basis.

* * * * *

Mr. ARENS. Eleanor Nelson?

Mr. ROSSMOORE. The same basis.

Mr. ARENS. Were you a Communist while you were at Harvard?

Mr. ROSSMOORE. Well, I will give the same answer.

Mr. ARENS. You were with the American Youth Congress at Harvard, were you not?

Mr. ROSSMOORE. Sir, I must respectfully decline to answer that.

Mr. ARENS. Have you, in the course of the last year, been in any way connected with the transmission of funds or receipt of funds pursuant to the underground operation of the Communist Party?

Mr. ROSSMOORE. Well, sir, I think that you are asking me in a little bit different terminology, but essentially you are asking me the same question which you have asked on a number of occasions. I must—I am going to decline for the same reasons.

Mr. ARENS. To what professional groups do you belong?

Mr. ROSSMOORE. I must decline to answer that, sir.

Mr. ARENS. Are you a member of bar groups of any kind?

Mr. ROSSMOORE. Sir, I think that that falls within the same principle.

Mr. ARENS. I will put this question: Are you now a member of any nonsensitive, non-Communist group or organization?

Mr. ROSSMOORE. Sir, I respectfully decline to answer that, too.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be directed and ordered to answer that question.

Mr. WILLIS. I direct you to answer that question.

Mr. ROSSMOORE. I must respectfully decline on the basis which I have stated before, sir.

Mr. SCHERER. You said you were admitted to the bar. To what bar are you admitted? What State?

Mr. ROSSMOORE. I am admitted to the bar in New York and New Jersey.

Mr. SCHERER. Where?

Mr. ROSSMOORE. New Jersey and New York.

Mr. ARENS. Did you have to take an oath to support and defend the Constitution as of the time you were admitted to the bars of New Jersey and New York? Do you recall that?

Mr. ROSSMOORE. I believe I did.

Mr. ARENS. At the time you took that oath, did you have any mental reservations because of membership in the Communist Party?

Mr. ROSSMOORE. Well, if you are asking me about membership in the Communist Party, I told you that I am not going to answer it. If you are asking me if I took the oath with mental reservations, I did not.

Mr. ARENS. You have been identified under oath by a witness before this committee, who laid her liberty on the line and said while she was a member of the Communist Party, she knew you as a Communist, knew you not as an associate but as a Communist, a member of the Communist Party.

Do you care to avail yourself now of the opportunity which you are afforded by this committee to deny that allegation while you are under oath?

Mr. ROSSMOORE. I think, sir, that you are really asking me the same question again. I will respectfully decline.

Mr. ARENS. Are you a member of the National Lawyers Guild?

Mr. ROSSMOORE. Again, sir, I want to assert the reasons which I gave you a while ago. I don't think it is a proper question.

Mr. ARENS. Aside from your military service, have you ever been outside the United States?

(The witness conferred with his counsel.)

Mr. ROSSMOORE. I don't quite see what concern it is of the committee. I have had occasion to go outside of the United States.

Mr. ARENS. Where did you go and when?

Mr. ROSSMOORE. Well, again I object to these questions. I don't think they are any concern of the committee. They are my private affairs. But, on the other hand, they are acts, not associations or beliefs. I will answer them. When I was a very young child, I went to the West Indies, I think, on a cruise with my parents.

Mr. ARENS. Have you taken any trips since you have been an adult, other than your military service?

Mr. ROSSMOORE. Before I got out of college, I took a trip to Europe.

Mr. ARENS. Where did you go?

Mr. ROSSMOORE. Let's see. To France, Austria, Switzerland, and Italy, I think.

Mr. ARENS. Any other trips?

Mr. ROSSMOORE. I spent a honeymoon in Bermuda once.

Mr. ARENS. Did you take any trips to any of the Iron Curtain countries?

Mr. ROSSMOORE. I presume you mean countries of Eastern Europe?

Mr. ARENS. Countries under the domination of the international Communist operation; yes.

Mr. ROSSMOORE. Well, no; I haven't been to any countries—any European countries, outside of the war, other than those I mentioned to you.

Mr. ARENS. Any Asian countries?

Mr. ROSSMOORE. No.

Mr. SCHERER. You say you served in the Air Force of the United States?

Mr. ROSSMOORE. Yes, sir; I did.

Mr. SCHERER. Mr. Arens asked you about your commanding officers. You, I believe, said you didn't remember the names of any of them. What particular job was assigned to you in the Air Force?

Mr. ROSSMOORE. I was a combat pilot, a bomber pilot on B-17's. I flew somewhat over 50 missions over enemy territory, over Germany, Austria, Italy, Yugoslavia. I don't think I—I might have gone to Rumania. I am not sure.

Mr. SCHERER. That was during the Second World War, when we were a cobelligerent with Russia?

Mr. ROSSMOORE. Yes; I guess we were.

Mr. SCHERER. And where were you trained for your Army service?

Mr. ROSSMOORE. Various stations, most of which were in the South. I had primary flight training in Florida, some small base, the name of which escapes me. I had basic training and also preflight training in Montgomery, Ala., advance flight training in Columbus, Miss., and B-16 training in Tampa, Fla.

Mr. SCHERER. Where were you based during the war?

Mr. ROSSMOORE. Overseas in Italy, outside of Foggia, the 15th Air Force.

Mr. SCHERER. Are you a member of the Federal bar, admitted to practice in the Federal courts?

Mr. ROSSMOORE. Yes, sir.

Mr. SCHERER. I have no further questions.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be excused from present appearance under this subpoena, but be continued under the subpoena subject to notification by the committee as to time and place of further appearance.

Mr. WILLIS. It is so ordered by the chairman.

Mr. ROSSMOORE. If there is to be a further appearance, Mr. Arens, I would appreciate your consultation with my attorney. I know the committee has its own problems. But as a practicing lawyer, and Mr. Schnitzer, we both——

Mr. ARENS. I believe you will agree on this record that your appearance today was set over.

Mr. ROSSMOORE. No; I am not complaining.

* * * * *

(Whereupon at 3:05 p. m., Wednesday, October 9, 1957, the committee was recessed subject to call.)

INVESTIGATION OF SOVIET ESPIONAGE

WEDNESDAY, NOVEMBER 20, 1957

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

EXECUTIVE SESSION ¹

A subcommittee of the Committee on Un-American Activities met in executive session, pursuant to call, in room 226, Old House Office Building, Washington, D. C., Hon. Francis E. Walter, chairman, presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania, and Clyde Doyle, of California.

Staff members present: Richard Arens, staff director, and Louis J. Russell, investigator.

The CHAIRMAN. The hearing will come to order.

I have an opening statement, as subcommittee chairman, which I wish to read for the record.

The committee has long been interested in the situation which existed, and may still exist, in the various branches and establishments of the United States Government which had or have been infiltrated by members of the Communist conspiracy.

In years past, this committee has held many hearings on this general subject. The hearings held during the past years have demonstrated that Communist cells did exist in practically all agencies and branches of the United States Government.

Recently witnesses before the committee have identified a number of persons formerly employed by the United States Government who were members of a Communist cell existing in their own agency and in a number of other establishments of the United States Government and Communist-controlled unions and front organizations.

Continuing its hearings on this general subject, the committee today hopes to obtain information regarding recent or past employment in the Federal Government of members of the Communist Party and their relation to the international Communist conspiracy.

At this point, I should like to insert into the record a copy of the order for the appointment of this subcommittee, signed by myself as chairman on the 29th day of October 1957. In it, there is appointed a subcommittee consisting of Messrs. Kearney and Doyle, with myself as chairman, to conduct these hearings in Washington, D. C., beginning on November 20, 1957. Those of the subcommittee present are Mr. Doyle of California and myself, Walter, of Pennsylvania, Mr. Kearney being necessarily absent.

¹ Released by the committee and ordered to be printed.

(The order follows:)

OCTOBER 29, 1957.

To: Mr. Richard Arens, Director, House Committee on Un-American Activities.

Pursuant to the provisions of law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representatives Clyde Doyle and Bernard W. Kearney, associate members, and myself, Francis E. Walter, as chairman, to conduct an executive hearing in Washington, D. C., on November 20, 1957, at 10 a. m., on subjects under investigation by the committee and take such testimony on said day or succeeding days, as it may deem necessary.

Please make this action a matter of committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this 29th day of October, 1957.

FRANCIS E. WALTER,
Chairman, Committee on Un-American Activities.

The CHAIRMAN. Congress, by Public Law 601 in the 79th Congress, placed upon this committee the duty of investigating the extent, character, and objects of un-American propaganda activities in the United States, the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and all other questions in relation thereto that would aid Congress in any necessary remedial legislation. Congress has also placed upon this committee the duty of exercising continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of the committee.

In the event that testimony given during these hearings reflects a situation correctable by legislation, the committee will recommend the appropriate measures at the proper time. It is the purpose of the subcommittee, in the conduct of these hearings, to discharge the duties placed upon us by the Congress by calling witnesses who, we have reason to believe, possess information which will be of value to us and to the Congress in the consideration of such legislation. It is a standing rule of this committee that any person named in the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony given adversely affecting him. In the event there are such persons, they should immediately communicate with any member of the staff and make their request known.

In every hearing, the committee has encouraged witnesses to have legal counsel with them if they so desire and has always welcomed the presence of counsel. In fact, the rules of the committee expressly provide that at every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client.

* * * * *

Mr. ARENS. Mr. Lumer, would you please remain standing while the chairman administers an oath to you?

The CHAIRMAN. You do swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LUMER. I do.

**TESTIMONY OF WILFRED LUMER, ACCOMPANIED BY
COUNSEL, ABE SPERO**

Mr. ARENS. Please identify yourself on this record, Mr. Lumer, by name, residence, and occupation.

Mr. LUMER. My name is Wilfred Lumer. I live at 909 Laredo Road, Silver Spring, Md. I am an economist. I am employed by the Public Affairs Institute, a nonprofit research institution in Washington, D. C. The address is 312 Pennsylvania Avenue SE.

Mr. ARENS. You are appearing today, Mr. Lumer, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. LUMER. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. LUMER. Yes, sir.

Mr. ARENS. Mr. Counsel, kindly identify yourself on this record.

Mr. SPERO. My name is Abe Spero. I am a member of the bar of the District of Columbia, with offices in the Wyatt Building, Washington, D. C.

Mr. ARENS. Give us, if you please, Mr. Lumer, a thumbnail sketch of your education.

Mr. LUMER. Yes, sir. I am a graduate of the American University, in a bachelor's degree in business administration, and I have done postgraduate work in economics. I have completed the required courses for the master's in economics.

Mr. ARENS. When did you conclude your formal education?

Mr. LUMER. Well, it really isn't.

Mr. ARENS. When did you graduate from American University?

Mr. LUMER. I believe it was in June of 1953.

Mr. ARENS. Now, would you kindly give us the highlights of your employment since you concluded your formal education at American University?

Mr. LUMER. I have been employed by the Public Affairs Institute.

Mr. ARENS. Has that been the only place in which you have been employed since you reached adulthood?

Mr. LUMER. No. You asked me where I had been employed since I completed my formal education.

Mr. ARENS. I understood you to say that you went to American University and graduated there.

Mr. LUMER. In June of 1953.

Mr. ARENS. Then let's proceed in reverse order, if you please.

Mr. LUMER. You want my whole occupational background?

Mr. ARENS. I would like to have the principal employments you have had since you reached adulthood, and the approximate dates.

Mr. LUMER. My first employment was with the firm of Schwartz & Mack, Inc. It was an importing house that dealt in ladies' neckwear.

Mr. ARENS. When was that?

Mr. LUMER. That was approximately 1934.

Mr. ARENS. Where?

Mr. LUMER. New York City.

Mr. ARENS. And your next primary employment, please, sir?

Mr. LUMER. From there I went to the United States Railroad Retirement Board, and I worked there from July 1936 until May 1942, I think.

Mr. ARENS. And your next employment?

Mr. LUMER. From there I went to the Office of Price Administration, and I worked there until the agency was liquidated.

Mr. ARENS. That was about when? That will help us on this record.

Mr. LUMER. That was about May of 1947. May or June of 1947. I don't recall which.

Mr. ARENS. Your next employment, please.

Mr. LUMER. I then had a short period of employment with a research news letter.

Mr. ARENS. Give us the name of it, please.

Mr. LUMER. It no longer is in existence.

Mr. ARENS. What was the name?

Mr. LUMER. It was called the National Research Newsletter.

Mr. ARENS. Was that here in Washington?

Mr. LUMER. Yes; here in Washington.

Mr. ARENS. How long was your employment with this organization, approximately?

Mr. LUMER. I don't recall.

Mr. ARENS. Was it a matter of a few months?

Mr. LUMER. Yes; it was a few months.

Mr. ARENS. Your next employment.

Mr. LUMER. My next employment was with the Public Affairs Institute, and I have been there ever since.

Mr. ARENS. Have you ever had any employment with any committee of the United States Congress, or any connection with any committee of the United States Congress in an advisory capacity?

Mr. LUMER. Have I been employed by a committee?

Mr. ARENS. Yes, sir; in any capacity.

Mr. LUMER. No, I haven't.

Mr. ARENS. Were you ever on the staff of any Congressman in any capacity?

Mr. LUMER. I have not been formally employed as an employee of a Congressman. I have acted on an assignment from my office occasionally to some Members of Congress.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. LUMER. I am going to respectfully ask to be excused from answering that question on the ground that I feel it is violative of my rights under the first amendment to the Constitution, and I also reserve the right to invoke my privilege against self-incrimination under the fifth amendment of the Constitution.

The CHAIRMAN. By reserving your right, what do you mean by that? Do you invoke the fifth amendment?

Mr. LUMER. Yes, sir.

The CHAIRMAN. All right.

Mr. LUMER. Mr. Chairman, I am invoking both the first and the fifth.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. LUMER. I must again invoke both the first and the fifth amendments, and respectfully decline to answer that question.

Mr. ARENS. Are you presently under Communist Party discipline? (The witness conferred with his counsel.)

Mr. LUMER. I must again refuse to answer, or decline, respectfully decline, to answer the question on the grounds that I previously stated, namely—

* * * * *

The CHAIRMAN. When you say "I must," of course that means you are under compulsion. You are not under compulsion.

Mr. LUMER. I am electing.

The CHAIRMAN. That is right.

Mr. ARENS. What is this organization with which you say you are presently connected, the Public Affairs Institute? Give us just a word of description about the organization, please.

Mr. LUMER. Yes. The Public Affairs Institute is a nonprofit research organization, which engages in research and educational activities in the field of public affairs.

Mr. ARENS. What type of public affairs? That is a rather general description.

Mr. LUMER. Well, I might mention that it disseminates publications dealing with various economic problems in such fields as current business analysis, labor relations, agriculture, international affairs.

Mr. ARENS. It is a tax-exempt organization?

The CHAIRMAN. Just a minute. International affairs? How is that an economic question?

Mr. LUMER. In this sense, Mr. Chairman, it deals with the economic aspects of international affairs. For example, questions like economic assistance to underdeveloped countries or economic aid to our allies.

The CHAIRMAN. In other words, the activities are not political in any sense, but purely economic?

Mr. LUMER. They are educational, objective, nonpartisan.

Mr. ARENS. Is it a tax-exempt organization?

Mr. LUMER. Yes, sir.

Mr. ARENS. And how is it sustained? Could you tell us that in a word?

(The witness conferred with his counsel.)

Mr. LUMER. I think this question might better be directed toward the director of the Institute. I have an idea.

Mr. ARENS. Give us your best idea. Does it have several contributors to it, or is it a foundation? Just what is it?

Mr. LUMER. I have no reservations. I just want to indicate that my knowledge is not complete. To the best of my knowledge, the main source of support for the Institute derives from an organization known as the Brotherhood of Railroad Trainmen. They provide the core budget.

Mr. ARENS. Are you, or is anyone in the organization, to your knowledge, registered as a lobbyist under the Lobbying Act?

Mr. LUMER. No. I am not registered as a lobbyist. I don't know if anybody else is. That is, not to my knowledge.

Mr. ARENS. Does the organization develop information designed to influence legislation one way or the other?

Mr. LUMER. No. The organization develops information designed to educate. It disseminates information without necessarily advocating any particular piece of legislation.

Mr. ARENS. Have you been designated by the organization in the past to work on the Hill in any capacity; in any office on the Hill?

Mr. LUMER. May I consult counsel?

Mr. ARENS. Yes.

(The witness conferred with his counsel.)

Mr. LUMER. Yes, sir. From time to time in the past several years, I have been assigned by the executive director to provide research assistance to Members or their staffs who may request it.

Mr. ARENS. Members of what?

Mr. LUMER. Members of Congress.

Mr. ARENS. Have you so supplied such information?

Mr. LUMER. Yes, sir.

Mr. ARENS. Have you worked in comparable status with any congressional committees?

(The witness conferred with his counsel.)

Mr. LUMER. From time to time when I have been assigned by the executive director to provide research assistance to Members of Congress, the Members have asked me, as part of my research assistance, to assist them in connection with the staff work of their committees.

Mr. ARENS. What committees?

Mr. LUMER. The particular committees that they were——

Mr. ARENS. What committees have you assisted in the course of the past in this capacity?

Mr. LUMER. The Joint——

(The witness conferred with his counsel.)

Mr. LUMER. I will answer it this way: I assisted a member of the Joint Economic Committee in connection with editing work, and I assisted a member of the——let's see. I assisted a member of the House Small Business Committee.

Mr. ARENS. Over what period of time have you been doing this type of assisting?

Mr. LUMER. I believe, to the best of my recollection, this started in the early part of 1954, or 1953. I am not sure which.

Mr. ARENS. Could you keep your voice up a little? I am afraid the gentlemen at the other end of the table cannot hear you.

Mr. LUMER. I think that it started either in late 1953 or early 1954.

Mr. ARENS. And it continues up to the present; is that correct?

Mr. LUMER. Yes. I haven't—well, as of the last——

(The witness conferred with his counsel.)

Mr. LUMER. From the receipt of my subpoena to appear before the committee, I have not directly engaged in any committee assignments.

Mr. ARENS. Have you likewise assisted any persons in the executive departments since your identification or connection with Public Affairs Institute?

Mr. LUMER. I would like to ask you to explain that question. In what way?

Mr. ARENS. You said you were on assignment from the Public Affairs Institute, from time to time, to assist Members of the Congress,

and I believe you said also certain committees. And I wondered if you were likewise, at any time, on assignment to assist any of the executive departments in a comparable status.

Mr. LUMER. No. To the best of my recollection, I don't see, I can't recall, that I ever was assigned to—I can't recall any instance. I can't say that I did.

Mr. ARENS. Are you presently in full active status at the Public Affairs Institute?

Mr. LUMER. I am presently on a leave-with-pay status.

Mr. ARENS. And that has been occasioned by the fact that you have been under subpoena to appear before this committee, is that correct?

Mr. LUMER. When I notified my employer, yes.

Mr. ARENS. During the course of this assistance which you have rendered on the Hill to the Congress, have you, at any time in the course of the rendition of that assistance, been under the discipline of the Communist Party in the process of rendering that assistance?

(The witness conferred with his counsel.)

Mr. LUMER. I again must respectfully decline to answer on the grounds of the first and fifth amendments.

The CHAIRMAN. You say that you were assigned to do this work. Who assigned you, Mr. Lumer? The director?

Mr. LUMER. The director.

The CHAIRMAN. Who is he?

Mr. LUMER. Dr. Dewey Anderson.

Mr. ARENS. Since you received your subpoena to appear before this committee, have you been in communication with any person known by you to be a Communist?

(The witness conferred with his counsel.)

Mr. LUMER. I must decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Do you know, or have you ever known, a person by the name of Jane Foster Zlatovsky?

(The witness conferred with his counsel.)

Mr. LUMER. No.

* * * * *

Mr. ARENS. Do you know, or have you ever known, a person by the name of Arthur Stein?

Mr. LUMER. I again decline to answer on the grounds of the first and fifth amendments of the Constitution.

Mr. ARENS. Have you ever transmitted to a person known by you to be a Communist, information which you have procured on Capitol Hill as a result of this assisting work which you have characterized or described for us?

Mr. LUMER. I have never transmitted any information procured by me to any unauthorized persons.

Mr. ARENS. Have you reported your activities on the Hill, on Capitol Hill, over the course of the last several years, to a person known by you to be a Communist?

(The witness conferred with his counsel.)

Mr. LUMER. Let me ask you this: What do you mean by report? Well, for example, what do you mean by report?

Mr. ARENS. Discussed it, we will say.

Mr. LUMER. Discussed what?

Mr. ARENS. Your activities on the Hill with a person known by you to be a Communist. You have discussed them here today with us. You have told us about them. Have you done that with any person known by you to be a Communist?

(The witness conferred with his counsel.)

Mr. LUMER. I must decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. What legislation have you worked on that has gone through the Congress in the course of the last several years?

(The witness conferred with his counsel.)

Mr. LUMER. Would you repeat the question?

Mr. ARENS. What legislation have you worked on, assisted on, in this assisting process?

Mr. LUMER. Do you mean what legislation have I provided research assistance on?

Mr. ARENS. That is right; yes.

Mr. LUMER. Well, does this mean bills that have actually been enacted?

Mr. ARENS. Not necessarily. Let me ask you about a few fields. Have you provided information on Capitol Hill, worked as a research assistant, on immigration matters?

Mr. LUMER. No, sir.

Mr. ARENS. Have you provided information, or worked in this assistance process, on appropriations matters?

Mr. LUMER. No, sir.

Mr. ARENS. Then just tell us the areas in which you have done this. That is what I am trying to elicit from you now, sir.

Mr. LUMER. Well, my general area of providing research assistance has been primarily related to credit-policy problems.

Mr. ARENS. Fiscal policies; is that correct?

Mr. LUMER. Monetary policies. Since fiscal would take in tax legislation—monetary and fiscal policies.

Mr. ARENS. I think this record at this time ought to reflect this question: You have not, have you, made known or discussed with the Congressmen with whom you have been working, the issue as to whether or not you are a member of the Communist Party?

Mr. LUMER. I again must respectfully decline to answer that question, quoting my reference—

Mr. DOYLE. May I have the record read, please?

Mr. ARENS. I am afraid he doesn't understand the question.

Have you had any discussion with any of the Congressmen with whom you have worked, or any of the committees which you have been assisting, as to whether or not you are a member of the Communist Party?

The CHAIRMAN. He declines to answer.

Mr. LUMER. My answer is that I must invoke my privilege under the first and fifth amendments and respectfully decline to answer that question.

Mr. ARENS. Are there any persons presently engaged at the Public Affairs Institute who are known by you to a certainty to be, or to have been, members of the Communist Party?

Mr. LUMER. I must again decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. How much of a staff is there at the Public Affairs Institute? How many people are engaged there? Just approximately.

Mr. LUMER. There are about a dozen at the most.

Mr. ARENS. Are there others at this Institute besides yourself who work on the Hill?

Mr. LUMER. I don't believe so. I am not sure.

Mr. ARENS. Are there others besides yourself who work on information that is supplied to the Hill?

Mr. LUMER. Yes, sir.

Mr. ARENS. What did you do after you received your subpoena to appear before this committee? From the standpoint of preparing yourself for the appearance, or to try to preclude an appearance.

(The witness conferred with his counsel.)

Mr. LUMER. I will again decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Do you know a person by the name of Whittaker Chambers?

Mr. LUMER. No, sir.

Mr. ARENS. Have you worked in an advisory capacity or an assistance capacity on the other side, on the Senate side, as well as on the House side?

(The witness conferred with his counsel.)

Mr. LUMER. Yes, sir.

The CHAIRMAN. With what committee?

(The witness conferred with his counsel.)

Mr. LUMER. I assisted a member of the Senate Finance Committee.

The CHAIRMAN. In other words, the assignments given you by the director of your institute have been varied?

Mr. LUMER. Yes, sir.

The CHAIRMAN. Both the House, Senate, Members, and committees?

Mr. LUMER. Not committees, Mr. Chairman. Members.

Mr. ARENS. But you have assisted the Members in committee work; is that correct?

Mr. LUMER. In their committee assignments; yes, sir.

Mr. ARENS. Do you know a man by the name of Sam Abbott?

Mr. LUMER. I must decline to answer that question.

Mr. ARENS. We have information—and I want to be absolutely frank with you, Mr. Lumer—we have information that in the recent past, you have been in contact with, and under discipline of, Sam Abbott, a ranking Communist in the District of Columbia. We want to give you an opportunity now, while you are under oath, to deny it.

(The witness conferred with his counsel.)

Mr. LUMER. I must decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Do you know a man by the name of Arnold Johnson?

Mr. LUMER. No, sir.

Mr. ARENS. Do you know a man by the name of Alexander Ganz?

Mr. LUMER. I will again respectfully ask to be excused from answering on the grounds of the first and fifth amendments.

Mr. ARENS. Do you know a lady by the name of Esther Barkman?

Mr. LUMER. The name doesn't strike any chord.

Mr. ARENS. What organizations have you belonged to in the course of the last few years?

(The witness conferred with his counsel.)

Mr. LUMER. What do you mean by organizations?

Mr. ARENS. Clubs, social groups, organizations of any kind.

(The witness conferred with his counsel.)

Mr. LUMER. I will again respectfully ask to be excused from answering on the grounds of the first and fifth.

Mr. ARENS. Have you been active in the Progressive Party?

Mr. LUMER. I will again ask to be excused from answering on the grounds of the first and fifth amendments.

Mr. ARENS. Have you, as an employee of the Public Affairs Institute, done any work for any of the consulates and embassies, or submitted information, been on assignment to assist any of the consulates or embassies?

Mr. LUMER. Unequivocally no.

Mr. ARENS. Are there any other organizations, groups, to which you have been assigned?

Mr. LUMER. By the Institute?

Mr. ARENS. Yes, sir.

Mr. LUMER. Absolutely no.

Mr. ARENS. Are there any other groups or organizations, agencies, for which you have done work while you have been employed by the Public Affairs Institute?

Mr. LUMER. No. I am fairly certain that I have not been employed by any other organization to do work while employed in the Institute.

Mr. ARENS. Have you ever been abroad?

Mr. LUMER. No, sir; I have never been abroad.

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Mr. ARENS. Do you know a person by the name of Mary Rackliffe?

Mr. LUMER. I again respectfully ask to be excused from answering that question on the grounds of the first and fifth amendments.

* * * * *

Mr. ARENS. Who hired you at the Public Affairs Institute?

(The witness conferred with his counsel.)

Mr. ARENS. Let's take the last question: Who hired you in the Public Affairs Institute?

Mr. LUMER. The director, Dr. Anderson, hired me.

Mr. ARENS. Did you know him prior to the time you solicited employment there?

Mr. LUMER. I knew of him.

Mr. ARENS. Was your employment at the Public Affairs Institute facilitated in any way by a person known by you to be a Communist?

Mr. LUMER. The answer is unequivocally "No."

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Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the area in which we wanted to interrogate this gentleman. I would respectfully suggest likewise, if it meets with the approval of the chairman, that the subpoena under which this witness is today appearing, be continued, subject to notification for further appearance.

The witness lives in the vicinity here.

Mr. LUMER. I live in the area; yes.

The CHAIRMAN. All right.

Mr. Doyle?

Mr. DOYLE. I notice, Mr. Lumer, that when our staff director asked you "Are you now under Communist Party discipline?" that you declined on the grounds of the first and fifth amendments.

Mr. LUMER. I declined.

Mr. DOYLE. What did you understand that question to mean—under Communist Party discipline?

(The witness conferred with his counsel.)

Mr. LUMER. I must respectfully decline to answer that question.

Mr. DOYLE. In other words, you decline to answer your understanding of that question?

Mr. LUMER. I must rely on my constitutional privilege against self-incrimination, the fifth amendment.

Mr. DOYLE. I notice, too, when he asked you, "Have you at any time in rendering assistance to Members, been under discipline of the Communist Party?" that you specified your declination to answer on the grounds of your constitutional privilege.

What did you understand that question to mean as to whether or not you were under discipline of the Communist Party when you were rendering assistance to congressional Members?

Mr. LUMER. I must again respectfully ask to be excused on the grounds of the fifth amendment.

Mr. DOYLE. I notice when counsel asked you the question of whether or not you had ever transmitted any information obtained by you to any unauthorized person, you said this: "I have never transmitted any information procured by me to any unauthorized person."

May I ask you whether or not you have ever transmitted to any unauthorized person information procured by someone else?

Mr. LUMER. The answer to that is "No, sir."

Mr. DOYLE. I just wish to say this: Of course I have known Dewey Anderson many years, and I regularly read the publication by that organization, the Public Affairs Institute. It is another source of information. I can't understand, Mr. Lumer, how you, knowing the emphasis which Congress places upon the subversive activities of the Communist Party—I cannot understand how you, over a term of years, knowing those things because of your intimacy with the problem here on the Hill, would continue yourself in a position such as to make it necessary in your judgment at this time, today, to decline to answer on your constitutional grounds whether or not you are now a member of the Communist Party.

If I may explain that just briefly; we frequently have the experience of men who have been members of the Communist Party who come in and say they have been, but they are not now.

As you know, Mr. Chairman, I often make the remark that I am keenly disappointed when responsible citizens who know the hazard of the Communist Party, come before us, and are still in a position where they feel they cannot cooperate with Congress by at least having gotten so far away from the Communist Party that they can answer that they are not now members.

In making that statement, Mr. Lumer, I am not assuming anything from your testimony. I want you to realize that. I am not assuming that you ever were.

The CHAIRMAN. Have you any more questions, Mr. Doyle?

Mr. DOYLE. No. But I am disappointed on that point.

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Mr. DOYLE. May I add one brief statement for the record, so that you, Mr. Lumer, will get perhaps more of the import of my observation.

First, I wish to say again, as a matter of law, I did not assume from your answers that you had ever been a member of the Communist Party. But I do think that in dealing as closely as you have been with Members of Congress, both on the Senate side and on the House side, you have not been fair to those Members in the matter in at least not revealing to them that there might have been, shall I say, some connection of yours of some sort in the past or the present about which you might be questioned sometime, as to whether or not you were ever a member of the Communist Party.

It seems to me that you should have played cricket honestly and fully with those Members and should have revealed to them that there might come a time when you might be questioned, and if you were, you would feel constrained to plead the first and the fifth amendments.

I am not saying this to embarrass you, but I think you haven't been fair at all with Members of Congress in accepting employment with Dewey Anderson and assignments from Members of Congress, without revealing whatever you should have revealed, which makes it necessary this morning for you to plead your constitutional privilege.

The CHAIRMAN. Is that all, Mr. Arens?

Mr. ARENS. Yes, sir.

The CHAIRMAN. The witness will be excused.

Do you want to call another witness this morning?

Mr. ARENS. Mr. Chairman, we have two more witnesses.

Mr. LUMER. Am I excused, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. ARENS. We have two more witnesses. Can you come back this afternoon conveniently?

The CHAIRMAN. Yes. We will recess until 2 o'clock.

(Whereupon, at 12:10 p. m. Wednesday, November 20, 1957, the committee recessed, to reconvene at 2 p. m., the same day.)

AFTERNOON SESSION, WEDNESDAY, NOVEMBER 20, 1957

The CHAIRMAN. The committee will please be in order.

Mr. ARENS. The first witness, Mr. Chairman, will be Mrs. Rackliffe.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mrs. RACKLIFFE. Yes, I do.

TESTIMONY OF MARY RACKLIFFE

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mrs. RACKLIFFE. My name is Mrs. Mary Rackliffe. Could I be introduced to the rest of you?

The CHAIRMAN. This is Congressman Doyle. I am Congressman Walter. This is the official stenographer. Next is Louis Russell, one of our investigators.

Mr. ARENS. And your residence and occupation?

Mrs. RACKLIFFE. I live at 49 Bowdin Street, Newton Highlands, Mass.

The CHAIRMAN. Where is that?

Mrs. RACKLIFFE. That is a suburb of Boston. It is in Massachusetts.

As to the rest of the question, my occupation, you know it already. The subpoena was served on me at my place of business.

The CHAIRMAN. What?

Mrs. RACKLIFFE. Sir, the subpoena was served on me at my place of business.

The CHAIRMAN. I do not know. What is your occupation?

Mrs. RACKLIFFE. I work for a publishing house.

Mr. ARENS. And please tell us what publishing house.

Mrs. RACKLIFFE. Well, this really is an item that you already know, that you have in your files.

The CHAIRMAN. I know absolutely nothing about it, and neither does Mr. Doyle. If you will answer the questions, then we will find out something.

Mrs. RACKLIFFE. But, Mr. Walter, a United States marshal came to call on me at my place of business. You issued the subpoena. You signed it.

The CHAIRMAN. Yes. Now, by whom are you employed?

Mrs. RACKLIFFE. I just don't think by whom I am employed is relevant to this investigation. Is it?

The CHAIRMAN. Please answer the question. By whom are you employed?

Mrs. RACKLIFFE. But, sir, why is this relevant?

The CHAIRMAN. You will learn that as we go along. This is merely a matter of identification. Go ahead and answer the question, please.

Mrs. RACKLIFFE. Well, I certainly don't want to spend any more time here than is necessary, but you signed the subpoena which you gave to a United States marshal, who brought it to me at my place of business. I am here in response to the subpoena. It seems to me that this must be in the framework of information already known to you, sir.

The CHAIRMAN. Where are you employed?

Mrs. RACKLIFFE. But what difference does it make to you where I am employed? You know it already.

The CHAIRMAN. No, I do not know anything about it. Where are you employed?

Mrs. RACKLIFFE. Could you ask Mr. Arens where I am employed? He knows.

The CHAIRMAN. You are under oath.

Mrs. RACKLIFFE. Mr. Russell just told him where I was employed.

The CHAIRMAN. Where are you employed?

Mrs. RACKLIFFE. Your investigator knows. I am——

The CHAIRMAN. I am asking you the question. Let us not waste time over trivia. Where are you employed?

Mrs. RACKLIFFE. I don't want to waste the time.

The CHAIRMAN. I will withdraw the question.

Proceed.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you, as indicated, and you do not have counsel, is that correct?

Mrs. RACKLIFFE. Yes.

Mr. ARENS. You know that you have the privilege of having counsel?

Mrs. RACKLIFFE. Yes.

Mr. ARENS. How long have you been employed at your present employment?

Mrs. RACKLIFFE. About 7 years.

Mr. ARENS. What was your employment prior to your present employment?

Mrs. RACKLIFFE. I was unemployed for a time.

Mr. ARENS. For how long were you unemployed?

Mrs. RACKLIFFE. Before we go on, might I ask the relevance of these questions?

Mr. ARENS. Yes, this Committee on Un-American Activities is under a mandate from the United States Congress to develop facts and recommend legislation pertaining to the operation of the Communist Party. You have been reported to this committee as a person who has been a member of the Communist Party.

Therefore, we want to interrogate you with reference to activities, particularly activities in which you may have been engaged as an employee of the Government of the United States, activities you may have been engaged in with reference to propaganda, so that this committee, which is presently considering and working on legislation, might have that factual information to appraise against suggested legislation.

Now, would you kindly answer the question?

Mrs. RACKLIFFE. Could I just have repeated the first part of your statement as to what your mandate from Congress is?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question.

The CHAIRMAN. You are directed to answer the question.

Mrs. RACKLIFFE. Well, this is really purely for my own clarification, of course, sir, not to get in your way any more than I feel my own interests demand. But I understood Mr. Arens to say that you had a mandate from Congress to investigate the Communist Party.

That is not the way I understood the resolution to read which authorizes you.

The CHAIRMAN. Now, will you answer the question?

Mr. DOYLE. May I add this for the witness?

You are familiar with Public Law 601, the resolution under which this committee operates?

Mrs. RACKLIFFE. Yes, I read it before I came in here.

Mr. DOYLE. Sure you did. So you are perfectly familiar with the mandate we have.

Mrs. RACKLIFFE. That is why I was interested in this version of it, of course.

Mr. DOYLE. That is the basis of Mr. Arens' short preliminary statement. You are familiar with the resolution and, therefore, I think it

is perfectly plain that you are familiar with the relevance of the question.

Mrs. RACKLIFFE. Well, I might as well just state here before we go on to some specific further questions that I realize you have a mandate from Congress to investigate un-American propaganda, and that I personally do not consider anything in my life relevant to un-American activities or propaganda. I think there could be a great deal of discussion as to what is un-American and what isn't.

As far as I know, this committee has not attempted to define what is un-American for the purpose of assisting any witness in knowing what is relevant and what is not relevant. I would like to make that point very strongly because I do believe that it is impossible to tell on the basis of the mandate itself what is relevant to your investigations and what is not relevant to your investigations.

With that statement, I shall do my best to continue.

Mr. ARENS. What do you do at your present place of employment?

Mrs. RACKLIFFE. Granted that I don't think it is relevant, that I think it is an invasion of all my rights of privacy, that I don't think you have the right to ask me the question, I will tell you that I am a copy editor.

Mr. ARENS. How long have you maintained that particular type of work?

Mrs. RACKLIFFE. About 7 years.

Mr. ARENS. And what is the name of the firm in which you are employed?

Mrs. RACKLIFFE. Are we back at that again?

Mr. ARENS. We just have the address of 32 Beacon Street. Is that where you are employed?

Mrs. RACKLIFFE. Well, again, I don't think it is relevant and I don't think it is your business. I think it is an invasion of my rights. But I am employed at 34 Beacon Street, which is, the marshal should have told you, the right address.

Mr. ARENS. Where were you employed immediately prior to the assumption of your present employment?

Mrs. RACKLIFFE. I was unemployed.

Mr. ARENS. For what period of time were you unemployed?

Mrs. RACKLIFFE. I don't remember. Probably 2 or 3 months.

Mr. ARENS. What was your employment after your unemployment status terminated?

Mrs. RACKLIFFE. You realize what you are asking a witness to do? My whole life is involved here. You have assumed my whole life is relevant to un-American activities. I assume it isn't. I don't think it is relevant. I think this kind of questioning is invading all my rights of association under the first amendment of the Constitution.

The CHAIRMAN. We are not going into association at all.

Mrs. RACKLIFFE. Association is employment.

Mr. ARENS. Kindly tell us, now, please, where you worked prior to the time that you worked at your present place of employment?

Mrs. RACKLIFFE. On the grounds that I do not believe the question is relevant, and that I do not believe the committee has the authority to ask me, that I believe this question invades my rights and privileges under the first amendment, and also, on the basis of the constitutional protection afforded by the fifth amendment, I don't want to say where I worked and I will not say where I worked.

Mr. ARENS. How long did you work at the employment you had immediately prior to your present employment?

Mrs. RACKLIFFE. I just don't want to answer the questions, sir. I felt that I had sealed it off. I thought that any question about this employment was sealed off by my not answering what the employment was.

Mr. ARENS. What employment did you have immediately prior to this employment that you will not tell us about?

Mrs. RACKLIFFE. I will make the same answer to that.

The CHAIRMAN. By that do you mean that you decline to answer because of the privileges granted you under the Constitution?

Mrs. RACKLIFFE. Yes. Not only the privileges granted me under the Constitution, at least insofar as the Constitution grants or insures all privileges of a citizen, but I do not, as I said, believe that any of my life is relevant to your investigations, and I do not believe that in any way you have narrowed this inquiry down to a point where I am capable of telling what might be relevant or irrelevant. So I am doing my level best under the circumstances to protect myself.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mrs. RACKLIFFE. This is an outright invasion of a citizen's rights under the first amendment, sir. It guarantees the right of association.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness now be directed to answer the question.

The CHAIRMAN. You are directed to answer that question.

Mrs. RACKLIFFE. Well, I repeat that I believe this question is an invasion of rights under the first amendment. I believe you have no right to ask it. I believe I have no true responsibility to answer it. But I will answer it by saying only that for all of those reasons, and because of the rights guaranteed under the fifth amendment, I will not answer it.

Mr. ARENS. Are you now a member of the Communist Party?

Mrs. RACKLIFFE. I thought that is what I was answering.

Mr. ARENS. No, the first question, if you please, was, are you now or have you ever been. The question is a little more narrow. Are you now a member of the Communist Party?

Mrs. RACKLIFFE. Why did you ask the question like that if it was a 2-part question which I had no way of answering 1 part of it?

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered to answer the question.

The CHAIRMAN. Let me ask this question: Do you assume, then, that you felt you were answering this question as a part of the last question?

Mrs. RACKLIFFE. Mr. Arens, said, are you now or ever have you been, and I answered this question.

The CHAIRMAN. So you feel that you have answered this last question?

Mrs. RACKLIFFE. I feel that I answered the question, sir.

Mr. ARENS. She said she felt that she answered the question asked.

Do you feel that you covered the question with reference to present party membership?

Mrs. RACKLIFFE. Well, far be it from me to struggle with you over words, but you said, "Are you now or have you ever been?" didn't you?

Mr. ARENS. Yes.

Mrs. RACKLIFFE. This is what I responded to.

Mr. ARENS. You invoked the fifth amendment, which means that your answer could be consistent with the fact that you were a member of the Communist Party, but not a member now. So I should like to ask you, are you now a member of the Communist Party?

Mrs. RACKLIFFE. The same answer for that, Mr. Arens.

Mr. ARENS. Have you ever been employed by the United States Government?

Mrs. RACKLIFFE. Yes.

Mr. ARENS. Over what period of time?

Mrs. RACKLIFFE. To the best of my memory from somewhere earlyish in 1942 to earlyish in 1947.

Mr. ARENS. Where were you employed in the United States Government?

Mrs. RACKLIFFE. In the Office of Price Administration.

Mr. ARENS. In Washington, D. C.?

Mrs. RACKLIFFE. Yes.

Mr. ARENS. Were you a member of the Communist Party during the period of your employment in the United States Government?

Mrs. RACKLIFFE. Just for the sake of clarity, are you, when you asked me if I was employed in Washington, D. C., did you mean throughout the whole period?

Mr. ARENS. I was questioning you on it. I was under the impression that you said, yes, you had been employed in Washington.

Mrs. RACKLIFFE. Yes; I was employed in Washington.

Mr. ARENS. During the period of your employment in the OPA from 1942, approximately, to 1947, approximately, were you at any time a member of the Communist Party?

Mrs. RACKLIFFE. I make the same answer that I made previously, sir.

Mr. ARENS. Have you been employed in any agency of the United States Government, other than in the OPA?

Mrs. RACKLIFFE. Not that I can remember.

Mr. ARENS. During the period of your employment in the United States Government, did you know a lady by the name of Jane Foster Zlatovsky?

Mrs. RACKLIFFE. I believe, sir, that your asking me about any names of people I knew invades my right of association.

Mr. ARENS. Kindly answer the question as to whether or not you knew Jane Foster Zlatovsky.

Mrs. RACKLIFFE. I did not know anybody named, to my knowledge, Jane Foster Zlatovsky.

Mr. ARENS. Did you know a Jane Foster?

Mrs. RACKLIFFE. Just to make sure we all understand this, I don't think you have the right to ask it. I think it invades my rights under the first amendment. I will answer this question. Yes, I knew her.

Mr. ARENS. Where did you know her?

Mrs. RACKLIFFE. In Washington.

Mr. ARENS. What was the nature of your acquaintance with her, could you tell us please?

Mrs. RACKLIFFE. It was a social acquaintance.

Mr. ARENS. Was she a fellow employee at the OPA during the period of your service there?

Mrs. RACKLIFFE. No.

Mr. ARENS. Did you have any acquaintanceship with her other than a purely social acquaintanceship?

Mrs. RACKLIFFE. No, sir; I did not.

Mr. ARENS. Do you know whether or not she was a member of the Communist Party?

Mrs. RACKLIFFE. No; I do not.

Mr. ARENS. Did you know her husband?

Mrs. RACKLIFFE. No.

Mr. ARENS. Where was she employed when you knew her?

Mrs. RACKLIFFE. She was employed at the Board of Economic Warfare, and she transferred to another agency; of my own knowledge, I doubt if I would have remembered, but I have since read the papers where she was supposed to have been employed.

Mr. ARENS. I didn't understand you.

Mrs. RACKLIFFE. I said she transferred to another agency which I doubt of my own knowledge I would have remembered, but I have since read it in the papers at what agency she was employed.

Mr. ARENS. When did your acquaintanceship with Jane Foster Zlatovsky begin?

Mrs. RACKLIFFE. I don't remember. I will do my best to give a rough date. I would guess—I would sort of guess late in 1942 or early in 1943.

Mr. ARENS. Where did you first strike up the acquaintanceship with Mrs. Zlatovsky?

Mrs. RACKLIFFE. I don't remember at all.

Mr. ARENS. Do you recall who introduced you to her?

Mrs. RACKLIFFE. No.

Mr. ARENS. Did you meet her at a party, or at someone's home, or do you recall where you first met her?

Mrs. RACKLIFFE. This is the sort of question that I have no fact on whatsoever. We can make a string of assumptions. My husband of that time worked in the same agency.

Mr. ARENS. Was that John Rackliffe?

Mrs. RACKLIFFE. Yes. Beyond that, I can't go. I have absolutely no knowledge who introduced me to her.

Mr. ARENS. How long was your acquaintanceship with Mrs. Zlatovsky?

Mrs. RACKLIFFE. Again, just to be clear, I have, to my knowledge, no acquaintance with Mrs. Zlatovsky. I was acquainted with Jane Foster.

Mr. ARENS. I beg your pardon. How long were you acquainted with Jane Foster, who is now Jane Foster Zlatovsky?

Mrs. RACKLIFFE. As far as I know, it lasted until she was no longer in Washington, but I don't remember when that was.

Mr. ARENS. Was that during the period of time in which you were employed at OPA?

Mrs. RACKLIFFE. Yes.

Mr. ARENS. Do you know where she went when she left Washington?

Mrs. RACKLIFFE. No.

Mr. ARENS. Have you corresponded with her since she left Washington?

Mrs. RACKLIFFE. No, sir, I have not.

Mr. ARENS. Have you had any contact with her whatsoever since she left Washington?

Mrs. RACKLIFFE. Not to my knowledge.

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Mr. ARENS. Did you know, during your OPA days, a man by the name of Wilfred Lumer?

Mrs. RACKLIFFE. I make the same answer.

Mr. ARENS. Do you know him now?

Mrs. RACKLIFFE. What is "know"?

Mr. ARENS. Have you had contact with him in the recent past, the last year or so?

Mrs. RACKLIFFE. I make the same answer.

* * * * *

Mr. ARENS. Where did you go, and what employment did you assume after you left the OPA in 1947?

Mrs. RACKLIFFE. I do not answer on the same basis that I outlined before.

Mr. ARENS. How long was your next employment?

Mrs. RACKLIFFE. I make the same answer.

Mr. ARENS. Is there any employment which you have had since you left the United States Government in 1947 until the employment which you presently hold, concerning which you could tell us without revealing facts which might be used against you in a criminal proceeding?

Mrs. RACKLIFFE. That is a proper question, sir?

Mr. ARENS. Yes, it is.

Mrs. RACKLIFFE. Aren't you supposed to have a topic about which you are going to ask me and—

Mr. ARENS. Mr. Chairman, I respectfully suggest that the Chair order and direct the witness to answer the question.

The CHAIRMAN. You are directed to answer the question.

Mrs. RACKLIFFE. Do you think that kind of overall question is proper?

The CHAIRMAN. I would not have directed you to answer the question if I had not thought it was entirely proper.

Mrs. RACKLIFFE. There is no employment in the period mentioned about which I will tell you.

Mr. ARENS. I want to be sure the record is clear.

The OPA was the only place in Government where you worked; is that correct?

Mrs. RACKLIFFE. Yes, sir. I think I said as far as I know. I can't remember working any place else.

Mr. ARENS. Was your disassociation from the Government in OPA, voluntary or was it involuntary?

Mrs. RACKLIFFE. Well, the OPA, as best I can remember, went out of existence in the spring of 1947.

Mr. ARENS. Was that the sole and exclusive reason?

Mrs. RACKLIFFE. Yes. The only reason I left was because of reduction in force; yes.

Mr. ARENS. Do you know a person by the name of Arthur Stein?

Mrs. RACKLIFFE. I would make the same answer on the question of Arthur Stein that I have made to these other names.

Mr. ARENS. During the course of your employment in the United States Government, did you transmit any information which you procured in the course of your employment, whether confidential or otherwise, to a person known by you to be a Communist?

Mrs. RACKLIFFE. We included in that question at least three parts. Did I transmit confidential information; did I transmit nonconfidential information; did I know whether or not anyone was a Communist. Is that right? Are those the three parts to that question?

Mr. ARENS. The question is: Did you transmit any information which you procured in the course of your employment, whether confidential information or otherwise, to a person known by you to be a Communist?

Mrs. RACKLIFFE. I do not believe that the question is literally possible to answer without a certain breakdown. In answering it, I will break it down.

I transmitted no confidential information. Let me say, first, that I can't frankly remember having confidential information of any sort.

If I had it, I would not have transmitted it to anyone, except authorized personnel.

Mr. ARENS. Have you concluded your answer?

Mrs. RACKLIFFE. No. I am just trying to get down what I said, since I was not sure I would be able to get the transcript. That covers the question of confidential information.

As far as any other information, of course, everybody talked about price control. As far as whether I knew whether any associate of mine was a Communist, I would use all my previous reasons for not answering it.

Mr. ARENS. Does that conclude your answer?

Mrs. RACKLIFFE. Yes, sir.

Mr. ARENS. Did you know Henry Beitscher?

Mrs. RACKLIFFE. I would use all my previous reasons for not answering that.

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Mr. ARENS. While you were in the OPA did you transmit information which you had procured at OPA to a person by the name of Henry Beitscher.

Mrs. RACKLIFFE. I have no memory of any such thing, no.

Mr. ARENS. Did you know Henry Beitscher?

Mrs. RACKLIFFE. I have already answered that, sir.

Mr. ARENS. Where were you employed prior to the time that you were employed at the OPA?

Mrs. RACKLIFFE. This is totally irrelevant.

The CHAIRMAN. Answer the question, Mrs. Rackliffe.

Mrs. RACKLIFFE. Did I understand your opening statement to include periods outside of Government service?

Mr. ARENS. So that the record is clear, the question pending is this:

You have declined to answer respecting any employment you had from 1947 until 1950 when you assumed your present position. You

have told us that you were in the Government from 1942 until 1947. Now, I want to know what your employment was prior to 1942. Is that clear? Would you kindly answer the question, ma'am?

Mrs. RACKLIFFE. To the best of my recollection, I was working for the Society for the Promotion of Engineering Education.

Mr. ARENS. And over what period of time were you employed there?

Mrs. RACKLIFFE. I don't remember.

Mr. ARENS. Was it a matter—

Mrs. RACKLIFFE. A few months; half a year, perhaps.

Mr. ARENS. Where was that; that was here in Washington?

Mrs. RACKLIFFE. No. It was in New York City.

Mr. ARENS. What was your employment which preceded your employment with the engineering society?

Mrs. RACKLIFFE. I worked for a brass and copper company, as I remember it.

Mr. ARENS. In New York City?

Mrs. RACKLIFFE. Yes.

Mr. ARENS. Over what period of time did you work there?

Mrs. RACKLIFFE. I don't remember, sir. I was a stenographer. Possibly only a few weeks and possibly longer.

Mr. ARENS. So that the record is clear, were you a member of the Communist Party at any time prior to 1942?

Mrs. RACKLIFFE. I would use the same answer to that question, Mr. ARENS. I mean by the same answer, I mean the answer used to the previous questions about the Communist Party.

Mr. ARENS. What was your employment prior to the employment as stenographer which you have just mentioned?

Mrs. RACKLIFFE. I would like to say once again that I think that my employment 15, 20, or more years back is so far out of the range of this committee's operations that there is something a little ludicrous about this. How would it serve a legislative purpose, what I did in 1940, 1939, 1938, whatever it was?

Mr. ARENS. Kindly answer the question, please.

Mrs. RACKLIFFE. I worked at Harvard University.

Mr. ARENS. In what capacity?

Mrs. RACKLIFFE. I was the house secretary at the Dunster House. Before that I worked in the Harvard Service Bureau.

Mr. ARENS. In what period of time was this, about 1938?

Mrs. RACKLIFFE. 1938, I suppose, to 1941.

Mr. ARENS. And were you a member of the Communist Party during any time of your employment at Harvard University?

Mrs. RACKLIFFE. I would use the same answer to this question as to previous questions about the Communist Party.

Mr. ARENS. If you recall, what was your employment prior to your employment with Harvard University?

Mrs. RACKLIFFE. I worked in just a personal capacity for a family in Boston.

Mr. ARENS. Was that family Mr. and Mrs. William Dexter?

Mrs. RACKLIFFE. Yes, it was.

Mr. ARENS. In what capacity did you work for that family?

Mrs. RACKLIFFE. Mr. ARENS, how does this relate to anything? This is now 20 years ago. These are ridiculous questions. It is ridiculous.

* * * * *

Mr. ARENS. What was your employment prior to going with the Dexters?

Mrs. RACKLIFFE. I was in college.

Mr. ARENS. Where did you go to college?

Mrs. RACKLIFFE. Mr. Chairman, how does where I went to college relate to legislation, which is to be recommended by this committee?

The CHAIRMAN. I am sure Mr. Arens has a reason for asking the question.

Mrs. RACKLIFFE. I am sure Mr. Arens has a reason for asking the question, but what is the reason?

Mr. ARENS. Kindly tell us, please, where you went to college.

Mrs. RACKLIFFE. Mr. Arens, I think this is utterly irrelevant information to you, utterly irrelevant. By saying that this is utterly irrelevant, I don't mean to imply that the rest of it is relevant, but where I went to college—if you could give me one good reason why your legislative purposes require to know where I went to college, I would be astonished.

Mr. ARENS. Would you kindly answer the question, please?

Mr. DOYLE. I think I might make this observation at this point, in view of the witness' statement just now, and her answer some time ago that she had read Public Law 601 and was familiar with the resolution.

That resolution puts a mandate on us, on this committee, to go into the question of subversive activities, as well as un-American activities. You objected to the term "un-American" but you did not object to the term "subversive."

Of course, the meaning of subversive is well known. It is well known by you and any other person who has had a college education. I would suggest that we have a perfect right to go into your conduct and associations, looking to the possibility of any subversive activity by you back in your college days, if it appears that any such activity has continued down to the present date.

Mr. ARENS. Would you kindly answer the question as to where you went to college?

Mrs. RACKLIFFE. Could I look at your resolution, Mr. Doyle?

Mr. DOYLE. Yes. I have underlined the word "subversive," so that you could see it quickly.

(A document was handed to the witness.)

Mrs. RACKLIFFE. Well, the question as to the definition of "subversive" and "un-American" in this connection is vague, sir. I don't intend to spend our time arguing about it, but I do believe that my original point holds: that there is no ground within the authorizing resolution by which—

The CHAIRMAN. Will you answer the question, please?

Mrs. RACKLIFFE. By which I can determine what is relevant and is irrelevant here. But it does seem to me that material from my college days of 20 years ago, or more, whatever it is, is so far removed from a legislative purpose that it would be pretty hard for anybody to figure out a reason for it.

The CHAIRMAN. The question is: Where did you go to college?

Mrs. RACKLIFFE. I went to Radcliffe.

Mr. ARENS. Did you graduate?

Mrs. RACKLIFFE. Yes.

Mr. ARENS. When did you graduate?

Mrs. RACKLIFFE. 1935.

Mr. ARENS. Were you a Communist at any time during the period of your attendance at Radcliffe College?

Mrs. RACKLIFFE. I would use the same answer to that as to other questions.

Mr. ARENS. When you were employed by Mr. and Mrs. William Dexter, did you live in their home?

Mrs. RACKLIFFE. Yes.

* * * * *

Mr. ARENS. Were you a Communist when you were working in the Dexter household?

Mrs. RACKLIFFE. I will use the same answer to this question as on any questions about communism, sir.

* * * * *

Mr. ARENS. Was your employment which you presently enjoy with the Little Brown & Co., procured or facilitated by any person known by you to be a Communist?

Mrs. RACKLIFFE. No.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the interrogation of this witness.

The CHAIRMAN. Do you have any questions, Mr. Doyle?

Mr. DOYLE. I have no questions.

The CHAIRMAN. The witness is excused.

(Members of the subcommittee present at the conclusion of the executive testimony of the above witness were Representatives Francis E. Walter and Clyde Doyle.)

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(Whereupon at 3:35 p. m., Wednesday, November 20, 1957, the hearing in the above-entitled matter was recessed to reconvene at 10 a. m. on the following day.)

(Members of the subcommittee present at the taking of the recess were Representatives Francis E. Walter and Clyde Doyle.)

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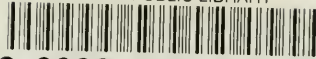
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